

2021-22
Assembly Budget Proposal

INTRODUCTION

Section 54 of the Legislative Law requires, among other things, a “comprehensive, cumulative report” to be made available to Members of the Assembly prior to action on budget bills advanced by the Governor. The following *“Summary of the Assembly Recommended Changes to the Executive Budget”* is prepared by Ways and Means Committee staff and is intended to provide a concise presentation of all additions, deletions, re-estimates and policy changes that are provided in the Assembly proposal, embodied in Assembly Resolution E. 107. The budget proposal of the Assembly Majority addresses each appropriation, as well as programmatic language that was first advanced in the Executive Budget.

**OVERVIEW OF ASSEMBLY BUDGET PROPOSAL
State Fiscal Year 2021-22**

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Financial Plan Overview

Financial Plan

Table 1

NYS Assembly Disbursements - Difference from Executive (\$ in Millions)				
	SFY 2020-21 Close-Out	SFY 2021-22 Executive	SFY 2021-22 Assembly	Difference
General Funds	74,747	82,883	91,632	8,749
State Operating Funds	102,186	105,005	113,328	8,323
State Funds	114,367	120,383	128,806	8,423
All Funds	192,730	196,023	208,311	12,288

All Funds

The All Funds Budget is the broadest measure of spending; it accounts for unrestricted and restricted State funds as well as funds received from the Federal government.

The Assembly proposes an All Funds budget of \$208.3 billion for State Fiscal Year (SFY) 2021-22, which is \$12.3 billion over the Executive Plan. This is largely attributed to \$3.7 billion in restorations of the Executive’s proposed local aid reductions and withholdings; and commitments to school aid, higher education, housing, rental assistance, small businesses, childcare, excluded workers and other programs.

The Assembly All Funds receipts are estimated at \$206.2 billion, which represents an increase of \$13.4 billion over the Executive Plan and an increase of \$10.0 billion or 5.1 percent above SFY 2020-21 estimates. This is mainly attributed to \$3.3 billion in Federal receipts from childcare and Medicaid; \$3 billion in additional unrestricted Federal aid; a \$2.7 billion increase in personal income tax over the Executive level; \$1.7 billion in business and other taxes; and \$1.4 billion in consensus revenues.

State Funds

State Funds spending consists of the General Fund, Debt Service Funds, Capital Projects Funds and Other State Funds. State Funds spending under the Assembly Plan is projected to total \$128.8 billion in SFY 2021-22, representing an increase of \$8.4 billion or 7.0 percent over the Executive’s Plan, and an increase of \$14.4 billion over SFY 2020-21.

The Assembly estimates State Funds receipts in SFY 2021-22 will total \$125.0 billion, an increase of \$9.5 billion over the Executive Plan, and an increase of \$13.1 billion or 11.7 percent from SFY 2020-21.

State Operating Funds

The State Operating budget includes all State spending from the General Fund, State Special Revenue Funds, and Debt Service Funds. This measure excludes Capital Projects Funds and Federal spending. The Assembly Plan assumes State Operating Funds spending of \$113.3 billion, an increase of \$8.3 billion, or 7.9 percent over the Executive's estimate and an increase of \$11.1 billion or 10.9 percent over SFY 2020-21.

State Operating Fund receipts are estimated at \$113.8 billion, an increase of \$9.5 billion or 9.1 percent over the Executive Plan; and an increase of \$11.6 billion or 11.3 percent increase from SFY 2020-21.

General Fund

The General Fund is the primary operating fund of the State and accounts for all unrestricted tax revenue and other receipts not dedicated to a specific fund, program or activity. The General Fund receives monies from personal income taxes, sales and users taxes, business taxes, other taxes, miscellaneous receipts, and transfers from other funds.

The SFY 2021-22 Assembly Financial Plan proposal projects that General Fund spending will total \$91.6 billion. The proposed spending is \$9.3 billion over the Executive proposal. This is largely attributed to \$3.1 billion in restoration of the Executive's proposed local aid reductions and withholdings; and commitments to school aid, higher education, rental assistance, small businesses, childcare, excluded workers, and other programs.

The Assembly General Fund Spending represents an increase of \$16.9 billion or 22.6 percent from SFY 2020-21 estimated levels. This is attributed to additional spending and restoration actions of \$8.7 billion over the Executive proposed spending estimates of \$8.1 billion.

In SFY 2021-22, General Fund receipts are estimated to total \$90.6 billion. The proposed Assembly receipts are \$9.3 billion over the Executive forecast and \$15.0 billion or 19.8 percent over SFY 2020-21.

Table 2

**Financial Plan Summary
(\$ in Millions)**

	SFY 2019-20 Actual	SFY 2020-21 Assembly Estimate	SFY 2021-22 Assembly Plan
State Operating Funds Budget			
Size of Budget	102,160	102,186	113,328
Annual Growth	0.3%	0.03%	10.9%
Other Budget Measure (Annual Growth)			
General Fund (with Transfers)	77,469	74,747	91,632
Annual Growth	6.4%	-3.5%	22.6%
State Funds (Including Capital)	112,294	114,307	128,806
Annual Growth		1.8%	12.7%
Capital Budget (Federal and State)	11,999	13,949	17,309
Annual Growth	-2.2%	16.3%	24.1%
Federal Operating Aid	58,823	76,595	80,674
Annual Growth	0.6%	30.2%	5.3%
All Governmental Funds	173,467	192,730	208,311
Annual Growth	1.2%	11.1%	8.1%
Inflation (CPI) Growth¹	1.9%	1.1%	2.3%
All Funds Receipts			
Taxes	82,889	80,364	91,446
Miscellaneous receipts	29,466	31,707	27,743
Federal grants	65,080	84,096	86,990
Total Receipts	177,435	196,167	206,179
General Fund Receipts			
Taxes	40,141	39,342	47,185
Miscellaneous receipts	3,159	6,913	1,860
Transfer from Other Funds	35,907	27,803	34,840
Total Receipts	79,207	74,058	83,884
Total General Fund Reserves (Year-end)			
Tax Stabilization/Rainy Day Reserves	2,476	2,476	2,476
Extraordinary Monetary Settlements	2,610	2,185	1,226
Economic Uncertainties	890	1,490	1,490
All Other Reserves/Fund Balances	2,968	2,104	5,167
Debt			
Debt Service as % of All Funds	2.8%	3.9%	3.7%
State Related Debt Outstanding	54,447	59,852	67,683
Debt Outstanding as % Personal Income	3.9%	4.1%	4.6%

¹Inflation (CPI) growth for SFY 2017-18 and SFY 2018-19 are based on Executive estimates.

Assembly Actions on Executive Budget

Table 3

Financial Plan Summary SFY 2021-22				
	<u>General Fund</u>	<u>State Operating Funds</u>	<u>State Funds</u>	<u>All Funds</u>
Executive Opening Balance	7,237	12,182	11,850	15,516
Assembly Opening Balance	9,855	14,800	14,468	18,134
EXECUTIVE RECEIPTS	81,376	104,311	115,538	192,814
<i>Tax Avails</i>	5,218	5,218	5,218	5,218
<i>Tax Cuts</i>	(989)	(989)	(989)	(989)
<i>Misc. Receipts/Fees</i>	93	160	160	160
<i>Sweeps</i>	(163)	0	0	0
<i>Tax & Misc Rec Reestimates</i>	2,111	2,111	2,111	2,111
Federal	3,000	3,000	3,000	6,865
Assembly Receipts	90,646	113,811	125,038	206,179
Change in Receipts	9,270	9,500	9,500	13,365
Executive Disbursements	82,883	105,005	120,383	196,023
<i>Spending Addition</i>	10,396	10,646	10,746	14,611
<i>Spending Reduction</i>	(1,647)	(1,647)	(1,647)	(1,647)
Assembly Disbursement	91,632	113,328	128,806	208,311
Change in Disbursements	8,749	8,323	8,423	12,288
Assembly Other Financing Changes	0	1,122	5,149	2,591
Assembly Change in Fund Balance	(986)	1,605	1,381	459
Assembly Closing Fund Balance	8,869	16,405	15,849	18,593

As part of the revenue consensus process, the Assembly agreed to increase the revenue forecast by \$1.0 billion in the current fiscal year and \$1.4 billion in SFY 2021-22. The Assembly proposal assumes this re-estimate and would provide additional sources of revenue to increase General Fund receipts by \$7.1 billion over the Executive Plan. Major actions include an increase

in the State Personal Income Tax surcharge for high income earners, which would generate an additional \$2.6 billion; the assumed receipt of an additional \$3 billion in unrestricted Federal aid; a surcharge on capital gains of 1 percent over \$1 million (\$701.4 million); and an expansion of business tax surcharge (\$1.0 billion).

Reserves

Table 5

SFY 2021-22 Estimated General Fund Closing Balance		
(\$ in Millions)		
	Executive	Assembly
Tax Stabilization Reserve Fund	1,258	1,258
Statutory Rainy Day Reserve Fund	1,218	1,218
Contingency Reserve Fund	21	21
Community Projects Fund	15	15
Monetary Settlements	1,226	1,226
Undesignated Fund Balance	2	3,141
Total	5,730	8,869

The Assembly Budget estimates a closing fund balance \$8.87 billion at the end of SFY 2021-22, a \$3.1 billion increase from the Executive Plan. This is primarily attributed to an increase in revenue and various taxes.

Emergency Appropriations

- The Assembly modifies the Special Emergency appropriation (\$2 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts.
- The Assembly provides \$10 billion to the Special Federal Emergency appropriation, for a total of \$45 billion and modifies the language to restore the approval of transfer of funds by Speaker of the Assembly, or the Chair of the Assembly Ways and Means Committee, and the Temporary President of the Senate, or the Chair of the Senate Finance Committee. The Assembly also restores legislative approvals to re-appropriations of SFY 2020-21 funds.
- The Assembly modifies the Special Public Health Emergency appropriation (\$6 billion) to restore competitive bidding procedures and the authority of the Comptroller to review contracts derived from this appropriation including conditions and limitations for the use of such funds and including the legislative approval of fund transfers.

- The Assembly provides \$4 billion to the Special Federal Emergency appropriation, for a total of \$13 billion and modifies language to make spending from the appropriation subject to legislative approval to allocate funds. The Assembly proposes to allocate a portion of the unrestricted Federal aid to offset state spending for the following initiatives:
 - \$1 billion for the Small Business Reopening and Relief Grant Program;
 - \$843 million for additional funding to supplement the State Emergency Rental Assistance Program;
 - \$250 million for the New York City Housing Authority;
 - \$180 million for SUNY expansion projects;
 - \$120 million for CUNY expansion projects;
 - \$125 million for additional Aid and Incentives to Municipalities (AIM);
 - \$100 million for the recovery of the New York arts community;
 - \$100 million for reimbursement of operating expenses incurred by nonprofit organizations respond to COVID-19;
 - \$60 million for public housing;
 - \$51.7 million for cost of living adjustments for Human Services programs;
 - \$50 million for the Nourish NY program;
 - \$40 million for anti-gun violence programs;
 - \$25 million for PPE reimbursement for OMH, OASAS and OPWDD voluntary providers;
 - \$25 million for the I Love New York Restaurants grant program;
 - \$20 million for Medication Assisted Treatment (MAT) for correctional facilities;
 - \$15 million for a Digital Inclusion grant program;
 - \$10 million for local fairs;
 - \$3 million for a statewide broadband availability study;
 - \$1 million for Many Threads, One Fabric Union-led Implicit Bias Training for public school educators;
 - \$900,000 for installation of broadband within state-operated congregate facilities; and
 - \$125,000 for medically fragile children.

Appropriations Preamble Language

- The Assembly does not include language in the preamble of the State Operations, Aid to Localities, and Capital Executive appropriation bills that would provide authority for the Division of Budget to:
 - withhold planned local assistance disbursements if unrestricted Federal aid of at least \$3 billion is not approved by August 31, 2021;
 - request and approve Federal aid spending plans from any agency or public authority;

- credit refunded amounts back to an original appropriation and reduce expenditures in the year the credit is received;
- reduce amounts owed to New York City if any State agencies incur any cost related to the administration of New York City's rent regulation program;
- withhold funding from any municipality with a police department that fails to submit a Police Reform Plan pursuant to Executive Order 203;
- require the Legislature to act on the Aid to Localities bill prior to the State Operations bill; and
- increase or decrease by interchange or transfer without limit, the amount of any state operations appropriations with any other appropriation of any department, agency or public authority.

SFY 2020-21 Estimated Closeouts

As part of revenue consensus, the Assembly Plan increases PIT receipts in SFY 2020-21 by \$1.02 billion as compared to the Executive's 30-day Financial Plan. Additionally, the Assembly Plan does not include the prepayment of \$1.6 billion in SFY 2020-21 of debt service due in SFY 2022-23 through SFY 2024-25. As a result, the SFY 2020-21 General Fund closing balance is estimated at \$9.86 billion, an increase of \$2.6 billion over the Executive proposal.

Table 6

CASH FINANCIAL PLAN				
ALL FUNDS				
Estimated 30-Day Closeout 2020-21 vs Assembly Plan 2021-22				
(\$ in millions)				
	2020-21 Estimated Legislative	2021-22 Legislative Plan	Change	% Change from 20-21 to 21-22
Opening fund balance	14,283	18,134	3,851	27.0%
Receipts:				
Taxes	80,364	91,446	11,082	13.8%
Miscellaneous receipts	31,707	27,743	(3,964)	(12.5%)
Federal grants	84,096	86,990	2,894	3.4%
Total Receipts	196,167	206,179	10,012	5.1%
Disbursements:				
Grants to local governments	142,324	159,814	17,490	12.3%
State operations	22,807	22,484	(323)	(1.4%)
General State charges	8,619	10,156	1,537	17.8%
Debt service	10,435	6,377	(4,058)	(38.9%)
Capital projects	8,545	9,480	935	10.9%
Total Disbursements	192,730	208,311	15,581	8.1%
Other financing sources (uses)				
Transfers from other funds	37,471	45,051	7,580	20.2%
Transfers to other funds	(37,422)	(42,873)	(5,451)	14.6%
Bond and note proceeds	365	413	48	13.2%
Net other financing sources (uses)	414	2,591	2,177	525.8%
Change in fund balance	3,851	459		
Closing fund balance	18,134	18,593		

Table 7

CASH FINANCIAL PLAN				
STATE FUNDS				
Estimated 30-Day Closeout 2020-21 vs Assembly Plan 2021-22				
(\$ in millions)				
	2020-21 Estimated Legislative Closeout	2021-22 Legislative Plan	Change	% Change from 20-21 to 21-22
Opening fund balance	13,936	14,468	532	3.8%
Receipts:				
Taxes	80,364	91,446	11,082	13.8%
Miscellaneous receipts	31,487	27,535	(3,952)	(12.6%)
Federal grants	56	6,057	6,001	10716.1%
Total Receipts	111,907	125,038	13,131	11.7%
Disbursements:				
Grants to local governments	71,373	85,132	13,759	19.3%
State operations	18,077	19,160	1,083	6.0%
General State charges	7,146	9,781	2,635	36.9%
Debt service	10,291	6,377	(3,914)	(38.0%)
Capital projects	7,480	8,355	875	11.7%
Total Disbursements	114,367	128,806	14,439	12.6%
Other financing sources (uses)				
Transfers from other funds	37,872	45,427	7,555	19.9%
Transfers to other funds	(35,245)	(40,691)	(5,446)	15.5%
Bond and note proceeds	365	413	48	13.2%
Net other financing sources (uses)	2,992	5,149	2,157	72.1%
Change in fund balance	532	1,381		
Closing fund balance	14,468	15,849		

Table 8
CASH FINANCIAL PLAN
STATE OPERATING FUNDS
Estimated 30-Day Closeout 2020-21 vs Assembly Plan 2021-22
(\$ in millions)

	2020-21 Estimated Legislative Closeout	2021-22 Legislative Plan	Change	% Change from 20-21 to 21-22
Opening fund balance	14,407	14,800	393	2.7%
Receipts:				
Taxes	79,182	90,127	10,945	13.8%
Miscellaneous receipts	22,988	17,632	(5,356)	(23.3%)
Federal grants	51	6,052	6,001	11766.7%
Total Receipts	102,221	113,811	11,590	11.3%
Disbursements:				
Grants to local governments	66,672	78,009	11,337	17.0%
State operations	18,077	19,160	1,083	6.0%
General State charges	7,146	9,781	2,635	36.9%
Debt service	10,291	6,377	(3,914)	(38.0%)
Capital projects	0	0	0	0.0%
Total Disbursements	102,186	113,328	11,142	10.90%
Other financing sources (uses)				
Transfers from other funds	34,108	40,349	6,241	18.3%
Transfers to other funds	(33,750)	(39,227)	(5,477)	16.2%
Bond and note proceeds	0	0	0	
Net other financing sources (uses)	358	1,122	764	213.3%
Change in fund balance	393	1,605		
Closing fund balance	14,800	16,405		

Table 9

CASH FINANCIAL PLAN

GENERAL FUND

Estimated 30-Day Closeout 2020-21 vs Assembly Plan 2021-22

(\$ in millions)

	2020-21 Estimated Closeout	2021-22 Legislative Plan	Change	% Change from 20-21 to 21-22
Opening fund balance	8,944	9,855	911	10.2%
Receipts:				
Taxes				
Personal Income Tax	25,000	30,794	5,794	23.2%
User taxes and fees	7,196	7,666	470	6.5%
Business taxes	5,921	7,095	1,174	19.8%
Other taxes	1,225	1,668	443	36.2%
Miscellaneous Receipts	6,913	1,860	(5,054)	(73.1%)
Federal grants	0	6,000	6,000	0.0%
Transfers from other funds				
- PIT Revenue Bond	18,575	25,647	7,072	38.1%
- ECEP Revenue Bond	2	3	1	0.0%
- LGAC	3,206	3,525	319	10.0%
- Sales Tax	2,131	2,251	120	5.6%
- RETT	730	831	101	13.8%
- All other	3,159	3,307	148	4.7%
Total Receipts	74,058	90,646	16,588	22.4%
Disbursements:				
Grants to local governments	52,011	63,796	11,785	22.7%
State operations	10,615	11,752	1,137	10.7%
General State charges	6,084	8,701	2,617	43.0%
Transfers to other funds				
- Debt service	309	424	115	37.2%
- Capital projects	2,983	4,322	1,339	44.9%
- State Share Medicaid		0	0	0.0%
- SUNY Operations	1,239	1,226	(13)	(1.0%)
- Other purposes	1,506	1,410	(96)	(6.4%)
Total Disbursements	74,747	91,632	16,885	22.6%
Change in fund balance	(689)	(986)		
Closing fund balance	8,255	8,869		

Revenue

Pursuant to the provisions of Section 23 of the State Finance Law, the Director of the Budget, the Secretary of the Senate Finance Committee, and the Secretary of the Ways and Means Committee are required to issue a joint report containing a consensus economic forecast and revenue estimate, no later than March 1st.

If there is a failure to issue a consensus report, the State Comptroller is required, no later than March 5th, to provide estimates of available revenues for the current and upcoming fiscal year.

The Executive and the Legislature reached consensus and provide the following update:

ECONOMIC AND REVENUE CONSENSUS REPORT FY 2022

This report contains the results of the consensus economic and revenue forecasting process conducted by the Executive and the Legislature in advance of the enactment of the FY 2022 Budget, pursuant to the provisions of Chapter 309 of the Laws of 1996.

The Consensus Forecasting Conference was held on February 24, 2021. Based on the testimony of experts at the Conference, the baseline outlook for both the economy and revenue remains highly uncertain and vulnerable to the effects of the COVID-19 pandemic. However, the national and state economies are expected to continue the current recovery path, both of which benefit from the increased availability of vaccines as well as substantial federal stimulus aid and supportive monetary policy.

Economic Forecast Review

The economic forecasts contained in the Executive Budget and Legislative reports portray recovering national and state economies for both the 2021 and 2022 calendar years. It is important to note that all parties' forecasts were completed prior to the February 24 Consensus Forecasting Conference.

All parties agree that the national economy, as measured by inflation-adjusted Gross Domestic Product, will recover robustly in 2021, following an unprecedented 3.5 percent decline in 2020. The consensus forecast for U.S. real GDP growth for 2021 is 5.7 percent, inclusive of additional federal fiscal stimulus, followed by growth of 3.7 percent for 2022.

All parties expect national employment growth to continue to recover. The consensus forecast calls for employment growth of 2.8 percent in 2021 and 3.6 percent in 2022, following a dramatic decline of 5.7 percent in 2020. All parties expect a higher rate of consumer price inflation for 2021 and 2022, as measured by the Consumer Price Index. All parties consent to an inflation rate projection of 2.3 percent for 2021 and 2.4 percent for 2022. Consistent with expectations pertaining to both employment and inflation, all parties consent to a wage growth

projection of 6.7 percent for 2021 and 5.2 percent for 2022, following growth of just 0.6 percent for 2020. Similarly, all parties consent to a personal income growth projection of 5.7 percent for 2021 and a decline of 0.6 percent for 2022, following growth of 6.3 percent for 2020. The consensus forecast for U.S. corporate profits, with capital consumption and inventory valuation adjustments included, calls for a recovery in 2021 with growth of 6.4 percent in 2021 and 5.1 percent in 2022. All parties agree that the yearly yield on 3-Month Treasury bills will average 0.2 percent in 2021 and 0.3 percent in 2022, based on the parties' baseline forecast assumptions.

Table 1

CONSENSUS U.S. FORECAST		
CALENDAR YEAR		
Percent Change		
	<u>CY2021</u>	<u>CY2022</u>
REAL GDP	5.7	3.7
PERSONAL INCOME	5.7	(0.6)
WAGES	6.7	5.2
CORP PROFITS	6.4	5.1
NONFARM EMPLOYMENT	2.8	3.6
3-MONTH T-BILL RATE	0.2	0.3
CPI	2.3	2.4

The parties agree that payroll employment in New York State will increase by 8.8 percent in FY 2022, following a dramatic 12.1 percent decline in FY 2021. The consensus forecast for personal income growth is 6.5 percent for FY 2021 and 2.8 percent for FY 2022. The consensus forecast calls for wage growth of 6.4 percent for FY 2022, following a decline of 2.6 percent for FY 2021.

Table 2

CONSENSUS N.Y. FORECAST		
FISCAL YEAR		
Percent Change		
	<u>FY 2021</u>	<u>FY 2022</u>
NONFARM EMPLOYMENT	(12.1)	8.8
PERSONAL INCOME	6.5	2.8
WAGES	(2.6)	6.4

Note: The Senate and Assembly Minority construct their personal income and wage series based on BEA data, whereas all other parties use NYS Department of Labor QCEW data; the two series can deviate substantially from one another.

All parties agree that there are multiple and elevated risks to the economic outlook for the national and state economies. Any unanticipated setbacks to the ongoing efforts to contain the spread of the Coronavirus, and therefore the sustainable re-opening of all sectors of the economy, will continue to be a significant downside risk to the economic and revenue forecasts, as it directly impacts the financial markets, global supply chains and trade.

In contrast, a quick resolution of the Coronavirus pandemic, both domestically and internationally, will lead to stronger growth in output, employment, wages and corporate profits than reflected in the consensus forecast.

Risks to both the national and the New York forecasts also stem from monetary and fiscal policy actions. Higher interest rates than reflected in the consensus forecast could hamper the housing recovery and reduce business investment and hiring. As the world's financial capital, New York could be negatively affected should interest rates materially deviate from the pace that is reflected in the consensus forecast. All parties identify the financial market outlook as critical for the health of the state economy and the underlying tax base. The impact of the federal tax law changes on taxpayer behavior, especially the state and local taxes (SALT) deduction limitation, will continue to present a major source of risk to the state's housing market, especially in certain downstate markets. In addition, all parties agree that the spread of the Coronavirus has substantially impacted the commuting and teleworking patterns of workers with implications for the economic and fiscal outlook of the State.

Revenue Forecast Review

Section 23 of the State Finance Law defines receipts subject to consensus as the combined total of All Funds tax receipts, General Fund miscellaneous receipts and lottery revenues. The revenue estimates from all parties for FY 2021 and projections for FY 2022 exhibited significant variance, but participants reached consensus on a two-year revenue total that is \$2.453 billion above the Executive Budget estimate.

In addition to the risks mentioned above, the following risk factors could affect actual results during the next 13 months:

- the growth in financial sector bonus payments in the first quarter of calendar year 2022;
and,
- the timing of the ongoing economic recovery and the efforts to contain and, hopefully, eradicate, the Coronavirus as a threat to the national and state economies.

SFY 2021-22 Assembly Tax and Revenue Proposals

- **Part A – Personal Income Tax (PIT) High Income Surcharge:** The Assembly modifies the Executive’s proposal to establish a new progressive PIT surcharge on taxpayers with incomes over \$5 million, to instead increase current 8.82 percent rate to 9.85 percent and to establish two new brackets as follows: 10.85 percent for taxpayers between \$5 million and \$25 million and 11.85 percent for taxpayers over \$25 million. The Assembly does not include language that would allow for high income earners to prepay their liability and to receive an out-year tax deduction.
- Part B – Intentionally Omitted.
- **Part C – Pass-Through Entity Tax:** The Assembly modifies the Executive proposal to establish an optional pass-through entity tax, to accelerate the implementation date to include tax year 2020; allow additional eligible businesses to participate in the program; expand the types of income eligible for the tax; and provide for a progressive rate for filers with incomes over \$5 million.
- **Part D – Employer Child Care Credits:** The Assembly modifies the Executive proposal to establish a child care credit component to the Excelsior Jobs Program and to expand the Employer Provided Child Care Credit, to allow additional businesses to participate in the Excelsior program if they provide child care for their employees. In addition, the Assembly would accelerate, by one year, the effective date for the employer sponsored child care credit expansion.
- **Part E – Modify and Simplify Various Business Tax Provisions:** The Assembly accepts the Executive proposal to eliminate a \$15 per trip tax on foreign bus and taxicab corporations that make trips into the State of New York; and to eliminate the State S-corporation election requirement, and require all federal S corporations to be treated as such for New York tax purposes.
- **Part F – Modify the Film Tax Credit:** The Assembly accepts the Executive proposal to extend the Empire State Film Production Credit and the Film Post Production Credit for one year, through tax year 2026; remove the exemption for pilots from the minimum project budget requirements; and modify the Post Production Credit to expand the jurisdictions that are eligible to receive the 10 percent supplemental tax credit for labor costs to include: Columbia, Dutchess, Greene, Orange, Putnam, Rensselaer, Saratoga, Sullivan, Ulster, Warren, and Washington counties.
- **Part G – Increase Wage and Withholding Filing Penalty:** The Assembly modifies the Executive proposal to increase the penalty imposed on employers for failure to provide complete and accurate wage reporting and withholding reports, to accept the increase in the penalty from \$50 per employee to \$100 per employee, but to increase the maximum

penalty from \$10,000 to \$20,000 per employer, instead of the \$50,000 maximum proposed by the Executive.

- Part H – Intentionally Omitted.
- Part I – Intentionally Omitted.
- **Part J – Eliminate the State Racing Admissions Tax:** The Assembly modifies the Executive proposal to eliminate the four percent State racing admissions tax and instead apply the four percent sales tax to such transactions, to remove certain data sharing provisions.
- **Part K – Sales Tax Refunds Interest Payments:** The Assembly modifies the Executive proposal to increase the amount of time that the Tax Department has to review sales tax refund claims of over \$100,000 without accruing interest, to accept certain technical amendments, but remove proposed provisions extending the interest-free period from three to six months.
- Part L – Intentionally Omitted.
- **Part M – Extend Dodd-Frank Protection Act Related Sales Tax Exemptions:** The Assembly accepts the Executive proposal to extend, for three years, the sales tax exemption provided to financial institutions that are required under federal law to create subsidiaries and then transfer the property or services to those subsidiaries without the transfer being considered a taxable sale.
- **Part N – Sales Tax Remote Vendor Registration:** The Assembly accepts the Executive proposal to make technical changes to clarify that the vendors with no physical presence in New York must only register and collect sales taxes if they have \$500,000 in sales over the previous four quarters.
- **Part O – Enhance Real Estate Transfer Tax (RETT) Compliance:** The Assembly accepts the Executive proposal to add responsible billing language to RETT current law; prohibit sellers from passing on the basic RETT to buyers; and exempt certain entities that are members of LLCs from having to disclose all of their members/shareholders on a RETT return form in the sale of a building with four residential units or less.
- **Part P – Modify Cigarette Vendor Enforcement:** The Assembly modifies the Executive proposal to prohibit a retail dealer with revoked or suspended cigarette licenses from possessing any taxed cigarettes and tobacco products during the period of revocation or suspension, to remove language that would presume that such possession represents an “intent to sell” and remove language providing the authority for the Tax Department to suspend a retailer’s sales tax authorization for such violations.

- **Part Q – Simplify Certain Tax Filing and Reporting Requirements:** The Assembly accepts the Executive proposal to reduce the tax filing frequency for certain low volume alcoholic beverage tax (ABT) and highway use tax (HUT) taxpayers to allow them to remit taxes on a quarterly or annual basis.
- **Part R – Modify the Collection of the Taxicab Tax and Congestion Surcharge:** The Assembly accepts the Executive proposal to transfer the responsibility for the collection, reporting and remittance of the taxicab tax and congestion surcharge from individual agents, medallion owners and HAIL vehicle owners to the technology service providers that arrange for their trips.
- **Part S – Tax Preparer Regulation and Enforcement:** The Assembly modifies the Executive proposal to amend various tax preparer oversight provisions, to eliminate language establishing a new daily penalty and to modify the proposed language to maintain a 30 day penalty cure period. The Assembly accepts the language requiring the prominent posting of certain information and increasing in the existing penalties.
- Part T – Intentionally Omitted.
- Part U – Intentionally Omitted.
- **Part V – School Tax Relief (STAR) Program:** The Assembly modifies the Executive proposal to transfer mobile home owners from the STAR exemption program to the STAR credit program, to have such owners transferred automatically, and to ensure they receive proper notification from the Tax Department. The Assembly removes the Executive proposals to: close the Enhanced STAR Exemption Program to new applicants and require newly-qualified taxpayers to enroll in the Enhanced STAR Credit Program; require that property owners who want to switch from the STAR exemption to the STAR credit must do so by May 1; authorize the Tax Department to provide reports of deceased persons to local assessors directly; and modify the STAR exemption appeals process to have any appeals determined by the Tax Department, rather than by the State Board of Real Property Tax Services
- Part W – Intentionally Omitted.
- Part X – Intentionally Omitted.
- **Part Y - Authorize Mobile Sports Wagering and Establish a Casino Tax Rate Petition Process:** The Assembly modifies the Executive proposal to legalize mobile sports wagering within New York State, to replace the Executive’s centralized procurement model with an alternative structure operating through the existing New York State casinos, to establish a 12 percent tax on gross gaming revenue, and to establish a \$12 million licensing fee for each participating platform. The Assembly does not include the proposed language establishing a process for casinos to petition for a lower tax rate.

- Part Z – Intentionally Omitted.
- Part AA – Intentionally Omitted.
- **Part BB – Modify Restriction on Lottery Draw Game Offerings:** The Assembly modifies the Executive proposal to eliminate a current law restriction that limits the number of daily offerings of Pick 10, Take 5, Lotto and future lottery games tickets to a single daily offering, to instead authorize these games no more than twice daily, and to add a one year sunset with a reporting requirement.
- **Part CC – Transfer the Gaming Inspector General to the State Inspector General:** The Assembly modifies the Executive proposal to consolidate the function of the Gaming Inspector General under the Authority of the Office of the State Inspector General, to require a report on the activities of the Office, include additional protections for civil service employees, and remove the proposed changes relating to statements made by Commission officers or employees to the Gaming Inspector General.
- **Part DD – Extend Pari-Mutuel Tax Rate and Simulcast Provisions:** The Assembly accepts the Executive proposal to extend the current pari-mutuel tax rate structure and other racing-related provisions for one year.
- **Part EE – Extend the Alternative Fuels Exemption:** The Assembly accepts the Executive proposal to extend the existing full exemptions of E-85, compressed natural gas and hydrogen, and the partial exemption of B-20 from motor fuel, petroleum business and state and local sales taxes, for five additional years, until September 1, 2026.
- **Part FF - Extend the Farm Workforce Retention Credit:** The Assembly accepts the Executive proposal to extend the \$600 per employee Farm Workforce Retention Credit for three years, through tax year 2024.
- **Part GG - Extend and Increase the Low-Income Housing Credits:** The Assembly modifies the Executive proposal to extend the low-income housing tax credit for five years and to increase the amount of the credit, to increase the annual amount by \$15 million per year, instead of the \$8 million annual increase proposed by the Executive.
- **Part HH – Modify the Musical and Theatrical Production Credit:** The Assembly accepts the Executive proposal to extend the musical and theatrical production credit for regions outside of New York City for an additional four years, through January 1, 2026, and increase the annual credit cap from \$4 million to \$8 million.

- **Part II – Extend the Hire-A-Vet Credit for Two Years:** The Assembly accepts the Executive proposal to extend the Hire-a-Vet Credit for an additional two years, to taxable years beginning before January 1, 2024, for employment commenced before January 1, 2023.
- **Part JJ - Extend the Economic Transformation and Facility Redevelopment Program:** The Assembly modifies the Executive proposal to extend the Economic Transformation and Facility Redevelopment Program tax credits for an additional five years, to instead extend these provisions for one additional year.
- Part KK – Intentionally Omitted.
- Part LL – Intentionally Omitted.
- **Part MM – Expand the Earned Income Tax Credit (EITC):** The Assembly includes language to increase the State EITC from 30 percent to 40 percent of the federal EITC credit.
- **Part NN – Establish a Capital Gains Surcharge:** The Assembly includes language to establish a new one percent surcharge on the capital gains of taxpayers with adjusted gross incomes of over \$1 million per year.
- **Part OO – Establish a Corporate Tax Surcharge:** The Assembly includes language to establish a new 18 percent surcharge on the tax liability of corporate franchise taxpayers, corporate utility taxpayers and insurance taxpayers, with tax liability over certain minimum thresholds.
- **Part PP – Modify Small Businesses Taxation:** The Assembly includes language to make various changes related to the taxation of small businesses, including proposals to:
 - reduce the Corporate Franchise Tax rate from 6.5 percent to 4 percent for businesses with 100 or fewer employees with a net income of \$390,000 or less;
 - increase the existing sole proprietor and farm business income deduction from the current 5 percent to 15 percent for small businesses that are paying taxes through the personal income tax and that have less than \$250,000 of small business income;
 - modify the existing Investment Tax Credit to make it refundable for taxpayers whose primary source of income is from farming operations; and
 - eliminate the estimated tax underpayment penalty for New York S corporations.
- **Part QQ – Expand the Historic Rehabilitation Credit:** The Assembly includes language to expand the existing Historic Rehabilitation Credit, to increase the eligible reimbursement from 20 percent to 30 percent, for projects under \$2.5 million.

- **Part RR – Expand the Excelsior Program to Public Housing:** The Assembly includes language to expand the Excelsior Jobs Program to include community significant projects that are located in the leased space of publicly owned housing developments. Eligible employers would be required to prioritize the employment and/or training of current public housing residents; and to create or maintain five new jobs or make a capital investment of more than \$1 million.
- **Part SS – Location Requirement Waiver for Tax Credits:** The Assembly includes language to allow the Tax Department to waive the location requirement for certain tax credits if the eligible business required its employees to work from home due to the COVID-19 pandemic.
- **Part TT – Reinstate the Capital Base Tax:** The Assembly includes language to reinstate an alternative minimum tax on business corporations at the rate of 0.15 percent the taxpayer's total business capital.
- **Part UU – Repeal the Local Sales Tax Intercept:** The Assembly includes language to repeal the authorization for the state to intercept \$250 million in county sales tax revenue to provide payments to distressed providers. Any additional payments made by the Department of Health to these providers would be supported with General Fund resources.
- **Part VV – Establish a Mezzanine Debt Recording Tax:** The Assembly includes language to apply the existing mortgage recording taxes to any mezzanine debt or preferred equity investment (subordinate debt) that is acquired along with a secured base mortgage. This would include the basic tax of \$0.50 per \$100 of debt, the special additional tax of \$0.25 per \$100 of debt; and the additional tax of \$0.25 per \$100 of debt outside of the Metropolitan Commuter Transportation District (MCTD) and \$0.30 per \$100 of debt within the MCTD.
- **Part WW – Establish a Pied-a-Terre Tax:** The Assembly includes language to establish a progressive state tax on the owners of certain high-value secondary homes in New York City, consisting of a sliding tax rate, which is based on the type of real property and value of the home. For family residences of one to three units, the tax would range from 0.3 percent to 4 percent of the property's market value over \$5 million. For condominiums and co-operatives, the rate would range from 10 percent to 13.5 percent of the properties assessed value in excess of \$300,000.
- **Part XX – Modify the Estate Tax:** The Assembly includes language to increase the top rate of the estate tax by four percentage points, from 16 percent to 20 percent, for estates with a value over \$10.1 million.
- **Part YY – New York City Small Business Recovery Credit:** The Assembly includes language to authorize the City of New York to establish a \$50 million small business tax credit, which would support businesses in the accommodation sector; the arts, entertainment and

recreation sector; and the food services sector. The credit would be equal six percent of the rent expense incurred by the business in 2021, up to a maximum of \$10,000 per entity.

- **Part ZZ – Breast Pump Sales Tax Exemption:** The Assembly includes language to clarify that breast pump replacement supplies are excluded from sales tax.
- **Part AAA – Nassau County Property Tax Exemption:** The Assembly includes language to provide an exemption from real property taxation on the increase in market value due to certain capital improvements and new construction of class one properties located in Nassau County. For eligible properties, the exemptions would phase-out over an eight-year period.
- **TED Part TT – Pandemic Recovery and Restart Program:** The Assembly modifies the Executive proposal to establish a small business return-to-work tax credit (\$50 million); a restaurant return-to-work tax credit (\$50 million), and a New York City musical and theatrical production tax credit (\$25 million) to support certain businesses that have been disproportionately impacted by the COVID-19 pandemic, to modify the small business credit to make it advanceable in the upcoming fiscal year and to also add reporting language for the new credits.
- **ELFA Part U – Housing Development Fund Corporation Sales Tax Exemption:** The Assembly accepts the Executive proposal to clarify the eligibility of not-for-profit Housing Development Fund Corporations that enter into a regulatory agreement with the Division of Homes and Community Renewal or the New York City Department of Housing Preservation and Development to qualify for a sales tax exemption to support the development of affordable housing.

Executive Revenue Proposals that are Not Included

- **Part B – Delay PIT Middle Class Tax Cuts:** The Assembly does not include the Executive proposal to delay the phase-in of the middle-class PIT cut, which began in 2018 and is currently scheduled to be fully phased-in by 2025.
- **Part H – Cannabis Regulation and Taxation Act:** The Assembly proposes to continue discussions with the Executive and the Senate to provide for the legalization and regulation of the cultivation, production, sale of cannabis and cannabis products for adult-use, expanding the existing medical cannabis program and address the collateral consequences of the criminalization of cannabis.

The Assembly supports the establishment of a centralized regulatory approach for the licensure and regulation of medical, adult-use and hemp-based cannabis and cannabis products and businesses through the creation of a regulatory body comprised of legislative

and executive appointments, as well as ex-officio agency representation from agencies involved in implementation.

The Assembly also supports provisions to: reduce criminal penalties attributed to future cannabis related activity; expand the ability of individuals to vacate or expunge certain lower level past cannabis convictions; protect legal rights in the workplace; ensure appropriate standards and protections are in place as it relates to public assistance, child care workers, foster parents and investigations of child abuse, neglect, and endangerment involving the use of cannabis ; provide access to business mentoring, application process assistance, incubators, capital and other social equity programs necessary to support the long-term success of social and economic equity applicants as part of a plan to award 50 percent of adult-use cannabis licenses to individuals in communities that have been disproportionately impacted by past criminalization of cannabis, communities of color, minority- and women-owned business, disadvantaged farmers and service-disabled veterans; establish a reasonable tax structure related to the sale of adult-use cannabis; provide for personal cultivation; ensure access to medical cannabis is maintained and expanded; recognize community priorities through local opt-out provisions from the adult-use market; and other priorities deemed necessary and appropriate.

The Assembly maintains that it is critically important that revenue generated from legalization of cannabis be invested in communities that have been disproportionately impacted by past criminalization of cannabis, including creating a Community Grants Reinvestment Fund. Therefore, the Assembly will further continue discussions on how to direct revenue to ensure that funds will be used for: public education; job creation, skills development and training; social justice and reentry services for impacted communities; substance use disorder services and mental health services; community-based supportive services; expanded training for state and local law enforcement to maintain driver safety; and any other uses deemed necessary and appropriate.

- **Part I – Modify Taxation of the Vacation Rental Industry:** The does not include the Executive proposal to impose existing sales taxes on vacation rentals; make vacation rentals in New York City subject to the same use fee paid on hotel stays; and require vacation rental marketplace providers that facilitate vacation rental transactions, collect sales tax on the vacation rentals that they facilitate.
- **Part L – Local Sales Tax Authorizations:** The Assembly does not include the Executive proposal to make permanent all current law local sales tax rate authorizations and provide the 57 counties outside of New York City, and the five cities that currently have additional tax rates, with permanent authority to impose a one percent additional rate of sales tax, or their currently authorized additional rate, whichever is higher.
- **Part T – Tax Tribunal Appeals:** The Assembly does not include the Executive proposal to provide the Tax Department with the right to appeal adverse Tax Appeals Tribunal

decisions. Under current law, only taxpayers may seek additional judicial review of an adverse determination.

- **Part U – Modernize and Merge Real Property Tax Forms and Processes:** The Assembly does not include the Executive proposal to combine the property transfer form and the real estate transfer tax form into a consolidated real property transfer form and to create an online system for e-filing and paying the associated taxes and fees.
- **Part W – Make Technical and Conforming Changes to Real Property Tax Law:** The Assembly does not include the Executive proposal to make various technical changes, including proposals to:
 - establish that a majority of the duly appointed members of the State Board of Real Property Tax Services constitutes a quorum for the transaction of business. The board consists of five members, however, two of the seats are currently vacant;
 - repeal an obsolete section of law related to local reassessment that expired in 1981;
 - remove a reference to the State Board of Real Property Tax Services that was erroneously left in law when the board and the Office of Real Property Tax Services (ORPTS) were merged into the DTF 2010;
 - allow the cancellation of hearings on various tentative ORPTS determinations when no complaints have been filed; and
 - clarify the local option exemption requirements relating to population restrictions and filing requirements.
- **Part X – Promote the Development of Renewable Energy Projects:** The Assembly does not include the Executive proposal to extend the existing real property tax exemption for renewable energy projects from 2025 until 2030, and to establish a statewide, standardized approach for real property tax assessment for such projects.
- **Part Z – Authorize a Request for Information for Gaming Facility Licenses:** The Assembly does not include the Executive proposal to authorize the New York State Gaming Commission to issue a Request for Information (RFI) for the purpose of soliciting interest regarding the three unawarded gaming facility licenses.
- **Part AA – Eliminate Quick Draw Restrictions:** The Assembly does not include the Executive proposal to eliminate restrictions limiting sales of Quick Draw tickets to premises larger than 2,500 square feet only, and the restriction requiring that a person must be 21 years of age to play Quick Draw on premises where alcoholic beverages are served.

- **Part KK – Delay Implementation of the Secure Choice Program:** The Assembly does not include the Executive proposal to extend the statutory deadline for implementing the Secure Choice Program, from April 12, 2020 to December 31, 2021.
- **Part LL – Temporarily Suspend Certain Racing Support Payments:** The Assembly does not include the Executive proposal to temporarily suspend racing support obligations from the Rivers Casino to the Saratoga Racino and Raceway while any COVID-19 related restrictions are in effect for either facility. These payment obligations would resume accruing once each facility operates without any COVID-19 related restrictions for six full and consecutive calendar months.

Fiscal Impact - Assembly Revenue Proposals
(\$ in Millions)

Part	Proposal	FY 2022	FY 2023	FY 2024	FY 2025
A	PIT High Income Surcharge	4,267	5,451	5,409	6,126
C	Pass-through Entity Tax	-	-	-	-
D	Employer Child Care Credits	-	(5)	(5)	(5)
E	Modify Various Business Tax Provisions	-	6	6	6
F	Modify the Film Tax Credit	-	-	-	-
G	Increase Wage and Withholding Filing Penalty	2	2	2	2
J	Eliminate the State Racing Admissions Tax	-	-	-	-
K	Sales Tax Refunds Interest Payments	-	-	-	-
M	Extend Dodd-Frank Protection Act Related Sales Tax Exemptions	-	-	-	-
N	Sales Tax Remote Vendor Registration	-	-	-	-
O	Enhance Real Estate Transfer Tax Compliance	-	-	-	-
P	Modify Cigarette Vendor Penalties	-	-	-	-
Q	Simplify Certain Tax Filing and Reporting Requirements	(1)	-	-	-
R	Modify the Collection of the Taxicab Tax and Congestion Surcharge	-	-	-	-
S	Tax Preparer Regulation and Enforcement	15	15	15	15
V	School Tax Relief (STAR) Program	-	(8)	(8)	(8)
Y	Authorize Mobile Sports Wagering	180	86	112	118
BB	Modify Restriction on Lottery Draw Game Offerings	7	9	9	9
CC	Transfer the Gaming Inspector General to the State Inspector General	-	-	-	-
DD	Extend Pari-Mutuel Tax Rate and Simulcast Provisions	-	-	-	-
EE	Extend the Alternative Fuels Exemption	(3)	(4)	(4)	(4)
FF	Extend the Farm Workforce Retention Credit	-	-	(11)	(11)
GG	Extend and Increase the Low-Income Housing Credits	-	(15)	(30)	(45)
HH	Modify the Non-NYC Musical and Theatrical Production Credit	-	-	-	(4)
II	Extend the Hire-A-Vet Credit	-	-	(1)	(1)
JJ	Extend the Economic Transformation/ Facility Redevelopment Program	-	-	(1)	(1)
MM	Expand The Earned Income Tax Credit	-	(330)	(330)	(330)
NN	Establish a Capital Gains Surcharge	701	865	874	909
OO	Establish a Corporate Tax Surcharge	1,000	1,000	1,000	1,000
PP	Modify Small Business Taxation	(39)	(56)	(42)	(42)
QQ	Expand the Historic Rehabilitation Credit	-	-	(5)	(5)
RR	Expand the Excelsior Program to Include Public Housing	-	-	-	-
SS	Location Requirement Waiver for Tax Credits	-	-	-	-
TT	Reinstate the Capital Base Tax	150	150	150	150
UU	Repeal a \$250 million Local Sales Tax Intercept	-	-	-	-
VV	Establish a Mezzanine Debt Recording Tax	171	228	228	228
WW	Establish a Pied-à-terre Tax	300	300	300	300
XX	Modify the Estate Tax	130	130	130	130
YY	NYC Small Business Recovery Credit	-	-	-	-
ZZ	Breast Pump Sales Tax Exemption	-	-	-	-
AAA	Nassau County Property Tax Exemption	-	-	-	-
TED	Pandemic Recovery and Restart Program	-	-	-	-
	Small Business Return-to-Work Tax Credit	(35)	(15)	-	-
	Restaurant Return-to-Work Tax Credit	(35)	(15)	-	-
	NYC Musical and Theatrical Production Tax Credit	-	(25)	-	-
ELFA U	Housing Development Fund Corporation Sales Tax Exemption	-	-	-	-
Total Fiscal Impact		6,828	7,801	7,830	8,567

PUBLIC PROTECTION & GENERAL GOVERNMENT

By Agency

Assembly Budget Proposal SFY 2021-2022
Division of Alcoholic Beverage Control

The Assembly accepts the Executive proposed All Funds appropriation of \$50.76 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly proposes to continue discussions with the Executive and the Senate to provide for the legalization and regulation of the cultivation, production, and sale of cannabis and cannabis products for adult-use, expand the existing medical cannabis program, and address the collateral consequences of the criminalization of cannabis.**
- **The Assembly does not include the Executive proposal to authorize movie theatres to serve all types of alcoholic beverages for motion pictures that are rated PG-13, R, or NC-17 to individuals with appropriate proof of age, without having to meet the current food requirements.**
- **The Assembly does not include the Executive proposal to permanently extend the authority of the State Liquor Authority (SLA) to issue temporary retail permits for applicants waiting on license approval in New York State. Further, this proposal would give the SLA new authority to issue temporary retail permits in New York City as well as to issue temporary manufacturing permits statewide.**

Assembly Budget Proposal: SFY 2021-22
Department of Audit and Control

The Assembly provides an All Funds Appropriation of \$427.2 million, an increase of \$52.5 million over the Executive proposal.

State Operations

- **The Assembly increases fiduciary fund appropriations for the Retirement Services Program and establishes a new fiduciary fund within the College Choice Tuition Program to align with current agency spending.**
- **The Assembly increases internal service fund appropriations to reflect changes in payment methods for the operational costs of the NYSLYRS portal under the Chief Information Office and banking oversight under the State Operations program.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Division of the Budget**

The Assembly provides an All Funds appropriation of \$49.18 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal: SFY 2021-22
Department of Civil Service**

The Assembly provides an All Funds Appropriation of \$59.54 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable**

Capital Projects

- **Not applicable**

Article VII

- **Not applicable**

Assembly Budget Proposal SFY 2021-22
Department of Corrections and Community Supervision

The Assembly provides an All Funds appropriation of \$3.41 billion, an increase of \$30.34 million over the Executive proposal.

State Operations

- **The Assembly restores \$30.3 million related to the rejection of Article VII language that would have expedited the prison closure process.**
- **The Assembly provides \$30,000 for the purchase of a sonogram machine for Bedford Hills Correctional Facility.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly does not include the proposal to authorize the Governor to close correctional facilities with 90-days' notice.**

**Assembly Budget Proposal SFY 2021-22
State Commission of Correction**

The Assembly provides an All Funds appropriation of \$2.96 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Division of Criminal Justice Services**

The Assembly provides an All-Funds appropriation of \$359.16 million, an increase of \$35.17 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly restores \$2.83 million in Legal Services Assistance Fund (LSAF) support for civil and criminal legal services grants.**
- **The Assembly restores \$7 million in General Fund support of various criminal justice programs, including re-entry initiatives, civil legal services as well as other crime control and prevention programs.**
- **The Assembly also restores support for the following programs:**
 - **\$1.06 million for New York State Defenders Association;**
 - **\$750,000 for Prisoner’s Legal Services;**
 - **\$609,000 in domestic violence related civil and criminal legal services programming;**
 - **\$600,000 in support for immigrant legal services; and**
 - **147,000 for rape crisis centers.**
- **The Assembly provides an additional \$40 million from unrestricted Federal aid for anti-gun violence programs including Operation S.N.U.G, Cure Violence, and project GIVE such that \$25 million shall be made available to programs located in the city of New York, \$13.8 million shall be made available to programs located outside of the city of New York, and \$1.2 million shall be made available for project GIVE.**
- **The Assembly provides \$300,000 to restore a legislative allocation of the Federal Edward Byrne Memorial/Justice Assistance Grants.**
- **The Assembly does not include appropriation language which would authorize the Division of Budget to withhold state funds from any municipality with a police**

department that fails to submit and certify Police Reform and Reinvention Collaborative Plan by April 1, 2021.

Capital Projects

- **The Assembly restores \$25 million for Securing Communities Against Hate Crime to provide grants for security projects to organizations at risk of hate crimes or bias-based violence.**
- **The Assembly provides \$25 million for body-worn cameras for municipal police departments.**

Article VII

- **The Assembly proposes to extend various criminal justice and public safety programs for two years.**
- **The Assembly proposal would remove the authorization for the Division of Budget to withhold funding for failure to provide certification pursuant to Executive Order 203.**
- **The Assembly does not include the following proposals:**
 - **to establish a separate domestic violence misdemeanor in the Penal Law when a person commits a designated serious offense against a family or household member;**
 - **to require the Office of Court Administration (OCA), working in conjunction with DCJS, to collect and include data on the issuance of orders of protection for family offenses in the report OCA issues every six months relating to pretrial release and detention;**
 - **to establish general authority for virtual court appearances, other than for hearings and trials, in every county in the state;**
 - **to require law enforcement agencies to comply with background check standards that include a criminal history check, a mental health exam, prior employment review, and review of previous police officer misconduct;**
 - **to allow for the Attorney General to appoint a monitor to oversee any police agency that fails to comply with the executive order for the New York State Police Reform and Reinvention Collaborative;**

- to create an arrest warrant prohibitor to bar the purchase of a firearm, rifle, or shotgun by individuals who are the subject of an outstanding warrant for a designated serious offense or felony charge; and
- to clarify in statute when a gun must be reported to the criminal gun clearinghouse and require all state and local law enforcement agencies in the state to opt-in to the gun tracing program of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF); require the test firing of certain guns, or submission of information regarding certain ammunition cartridges, for entry into the National Integrated Ballistic Information Network; and require each gun seized or recovered by law enforcement to be run through the National Crime Information Center (NCIC) system to determine if the gun has been reported stolen.

Assembly Budget Proposal SFY 2021-22 State Board of Elections

The Assembly provides an All Funds appropriation of \$47.96 million, an increase of \$32.07 million over the Executive proposal.

State Operations

- The Assembly provides \$17.96 million, an increase of \$2.07 million for regulatory operations.

Aid to Localities

- Not Applicable.

Capital Projects

- The Assembly provides \$30 million in capital funding for various expenses of the state and local board of elections. The State Board of Elections would provide up to \$6.5 million and the remainder shall be allocated to local boards of elections and administered by the State Board of Elections.

Article VII

- The Assembly modifies legislation that would expand early voting hours by requiring early voting sites to be open for a minimum number of consecutive hours.
- The Assembly does not include an Executive proposal to include judges and their immediate family under existing protections for domestic violence victims that keep records including their personal information private, and allow these individuals to omit their home address from public display where it is otherwise required by the Election Law.
- The Assembly will address election reforms outside of the budget and does not include Executive proposals that would:
 - reform the absentee ballot voting process to increase by 15 days the period in which absentee ballots may be requested;

- **require County Boards of Elections to mail absentee ballots within four days of receiving an absentee ballot application, except between seven and ten days prior to an election, when boards must mail absentee ballots within 24 hours of receiving the absentee ballot application;**
- **authorize County Boards of Elections to begin processing absentee ballots as they are received and to begin counting absentee ballots on Election Day; and**
- **establish a uniform timeline for counties to initiate recounts for close elections and would require recounts be completed within five days.**

**Assembly Budget Proposal: SFY 2021-22
Office of Employee Relations**

The Assembly provides an All Funds Appropriation of \$8.68 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable**

Capital Projects

- **Not applicable**

Article VII

- **Not applicable**

**Assembly Budget Proposal SFY 2021-22
Executive Chamber/Office of the Lieutenant Governor**

The Assembly provides an All Funds appropriation of \$18.5 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no change.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Department of Financial Services (DFS)**

The Assembly provides an All Funds appropriation of \$441 million, which is a decrease of \$5.6 million from the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly does not include the Executive's proposal to transfer \$7.5 million from the Department of Health (DOH) to the DFS for the Family Planning Program.**
- **The Assembly accepts the \$110,000 in the Executive proposal and provides an additional \$1.9 million in funding for the Entertainment Workers Demonstration Program, for total of \$2 million.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive's proposal for registration and licensing of pharmacy benefit managers. The Assembly will advance separate legislation to this effect outside of the budget process.**
- **The Assembly modifies the Executive's proposal for the Excess Medical Malpractice Program to extend the program in full-force as traditionally extended. The Executive proposed to split payments to insurers from the Excess Medical Malpractice Pool from one annual payment into two, spread over two fiscal years. Additionally, the Executive proposed to reduce state support for this program by 50 percent in future policy years.**
- **The Assembly does not include the Executive's proposal to create a Motor Vehicle Insurance Task Force and to grant the superintendent additional authority to pursue and**

de-authorize bad-acting health service providers for actions and services rendered under the no-fault insurance system.

- **The Assembly provides language to extend the Entertainment Worker Demonstration Program for one year.**
- **The Assembly authorizes a covered lives assessment on commercial health plans to streamline the process by which funds are distributed to municipalities to finance early intervention programs, thereby providing relief to the municipalities and improving their ability to more effectively administer early intervention (EI) services to children who need such services. Such assessment would generate \$40 million to be allocated among the municipalities and the state based on the share of each municipality and the state of EI program expenditures not reimbursable by the medical assistance program.**
- **The Assembly would enhance certain clinical standards and procedure for internal and external reviews, and utilization review requirements for medically-fragile children.**
- **The Assembly does not include language that would authorize the Teachers Insurance and Annuity Association of America (TIAA) to merge into the College Retirement Equities Fund (CREF).**
- **The Assembly would accept the Executive proposal that would extend the covered period for mortgage forbearance to the later of December 31, 2021 or the Executive Orders that closed or restricted business due to COVID-19 are no longer in effect.**
- **The Assembly does not include the Executive proposal that would provide a replacement benchmark rate, the Secured Overnight Finance Rate (SOFR), to replace the LIBOR rate upon its discontinuance. The Assembly would propose to address this through similar legislation moved outside of budget.**

**Assembly Budget Proposal SFY 2021-22
Office of General Services**

The Assembly provides an All Funds appropriation of \$1.26 billion.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly accepts the Executive proposal to extend the Procurement Stewardship Act for an additional five years.**
- **The Assembly modifies the Executive proposal to the Procurement Lobbying Act extension to remove proposed changes to contract thresholds and extend the provisions for an additional five years, rather than 10 years.**
- **The Assembly does not include the Executive proposal to establish the NY Medical Supplies Act.**

Assembly Budget Proposal SFY 2021-22
Division of Homeland Security and Emergency Services

The Assembly proposes an All Funds appropriation of \$4.97 billion, an increase of \$1.0 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly provides \$1.0 million for services and expenses of the American Red Cross.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Office of Indigent Legal Services**

The Assembly proposes an All Funds appropriation of \$316.27 million, an increase of \$5.0 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly provides \$5 million to the Indigent Legal Services (ILS) budget to support parental representation in family court.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Office of the State Inspector General**

The Assembly provides an All Funds appropriation of \$7.83 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Interest on Lawyers Account**

The Assembly provides an All Funds appropriation of \$47.10 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Department of Law**

The Assembly provides an All Funds appropriation of \$272.09 million, an increase of \$5.64 million over the Executive proposal.

State Operations

- **The Assembly provides \$5.07 million to support the operations of the Office of Special Investigations (OSI).**
- **The Assembly provides \$851,000 for the Law Enforcement Misconduct Investigative Office (LEMIO) including \$573,000 in State Operations and \$278,000 in General State Charges.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Division of Military and Naval Affairs**

The Assembly provides an All Funds appropriation of \$146.11 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Office for the Prevention of Domestic Violence**

The Assembly provides an All Funds appropriation of \$5.78 million, a decrease of \$4.73 million from the Executive proposal.

State Operations

- **The Assembly shifts \$225,000 in State Operations funding to the DOH, related to the rejection of the Executive proposal to transfer the Enough is Enough Program from DOH to Office for the Prevention of Domestic violence (OPDV).**

Aid to Localities

- **The Assembly shifts \$4.5 million in Aid to Localities funding to DOH, related to the rejection of the Executive proposal to transfer the Enough is Enough Program from DOH to OPDV.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include an Executive proposal to rename and expand OPDV to the Office to End Domestic and Gender-Based Violence.**

**Assembly Budget Proposal: SFY 2021-22
Public Employment Relations Board**

The Assembly provides an All Funds Appropriation of \$4.06 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Joint Commission on Public Ethics**

The Assembly provides an All Funds appropriation of \$5.59 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not Applicable.**

**Assembly Budget Proposal SFY 2021-22
Judicial Commissions**

The Assembly provides an All Funds appropriation of \$6.09 million.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Division of the State Police**

The Assembly provides an All Funds appropriation of \$1.02 billion.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Statewide Financial System**

The Assembly provides an All Funds appropriation of \$31.16 million

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Office of Information Technology Services**

The Assembly provides an All Funds appropriation of \$861.45 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly accepts the Executive proposal to require companies that collect information on large numbers of New Yorkers to disclose the purposes of any data collection and only collect data needed for those purposes. This would also create a Consumer Data Privacy Bill of Rights.**
- **The Assembly accepts the Executive proposal to require devices capable of recording to include a clear and conspicuous disclosure of their capabilities and settings pertaining to the retention and transmission of recordings.**
- **The Assembly includes a new proposal to address the statewide digital equity gap by appropriating \$15 million to a new digital inclusion program that would award grants to local governments, not-for-profits, schools, libraries, and other community-based organizations. This program would assist marginalized individuals/households with getting access to broadband internet, internet-accessible devices, as well as digital literacy education and tech support.**
- **The Assembly includes a new proposal to require the Public Service Commission to conduct a study and report annually on the availability, affordability and reliability of high-speed broadband services in New York State, as well as publish and maintain a**

detailed internet access map of the state, which shall detail information such as actual download/upload speeds, available service providers, and reliability of service by location.

- **The Assembly does not include the Executive proposal to authorize the issuance of comprehensive technology contracts by the Office of Information Technology Services.**
- **The Assembly does not include the Executive proposal to reclassify the sharing of resident personal information amongst state governmental entities as presumably not subject to the rules against the disclosure of personal information and records by such entities**
- **The Assembly does not include an Executive proposal to publicly post the authorized signatures of agency contracts and prohibits certain unfavorable terms to the state in state contracts.**

**Assembly Budget Proposal SFY 2021-22
Office of Victim Services**

The Assembly provides an All Funds appropriation of \$211.99 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Workers' Compensation Board**

The Assembly provides an All Funds appropriation of \$206.19 million.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- **The Assembly does not include the Executive proposal to authorize the New York State Insurance Fund to enter into agreements with out-of-state workers' compensation insurers to issue policies to policyholders for their obligations under the laws of other states.**
- **The Assembly does not include the Executive proposal to provide the New York State Insurance Fund greater flexibility with regard to its investments of surplus funds and reserves.**
- **The Assembly does not include the Executive proposal to adjust the discount rates for the New York State Insurance Fund's reserves and deposits.**

Assembly Budget Proposal: SFY 2021-22 General State Charges

The Assembly provides an All Funds Appropriation of \$7.08 billion.

State Operations

- The Assembly does not include a proposal to modify the Income Related Monthly Adjustment Amount (IRMAA) reimbursement and instead restores \$4 million.
- The Assembly does not include a proposal to cap the Medicare Part B reimbursement level at \$148.50 per month and instead restores \$1.8 million.
- The Assembly proposal does not include language to require the rate of interest paid upon any judgment or accrued claim to be calculated based on the fluctuating market rate.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- The Assembly does not include the proposal to terminate state reimbursements of IRMAA for retired state employees commencing on January 1, 2022.
- The Assembly does not include the proposal to establish a premium cost sharing structure for future state employees hired on or after October 1, 2021.
- The Assembly does not include the proposal to cap reimbursement of the Medicare Part B standard premium at no more than \$148.50 a month for all eligible employees.
- The Assembly does not include the proposal to extend the implementation and enrollment deadline date for the NYS Secure Choice Program to December 31, 2021 and

allow the New York Secure Choice Savings Program Board to extend such deadline until December 31, 2022.

- **The Assembly does not include the proposal to authorize the President of the Civil Service Commission to establish a 60-day amnesty period regarding the health insurance coverage of an ineligible dependent. Such coverage would be terminated upon identification of ineligible dependents.**
- **The Assembly includes language that would authorize public employers to elect to offer a temporary retirement incentive equal to one month of service credit per year of accrued service for up to three additional years (Part A), or provide a temporary age 55/25-year retirement incentive (Part B) for certain State and municipal public employees who are members in NYSERS, NYSTRS, NYCERS, NYCTRS and NYCBERS. To receive either the Part A or Part B benefit, an eligible member of an employer who has elected to participate must retire during the employer's designated open period.**

Assembly Budget Proposal SFY 2021-22
Miscellaneous: Public Protection and General Government

Local Government Assistance

The Assembly provides an All Funds appropriation of \$829.40 million, an increase of \$120.46 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly restores the reduction of Aid and Incentives to Municipalities (AIM) payments, as well as eliminates the shift of all AIM payments to “AIM-related” payments. In addition, the Assembly repeals the 2019 AIM-related payment provisions and reverts AIM support to SFY 2018-19 funding levels, thereby increasing total AIM support by \$98 million to \$715 million.
- In addition, the Assembly provides \$125 million in increase aid for AIM for cities, towns, and villages.
- The Assembly provides \$12 million in aid for the City of Albany.
- The Assembly restores \$9.3 million in Video Lottery Terminal Aid funding for locations outside of Yonkers.
- The Assembly restores \$980,000 in Video Lottery Terminal Aid funding for the City of Yonkers, for a total of \$19.6 million.
- The Assembly restores \$188,000 for Madison County gaming facility, for a total of \$3.75 million.
- The Assembly restores \$11,000 for the Small Government Assistance Program, for a total of \$217,300.

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal to eliminate Video Lottery Terminal Aid for all municipalities except for the City of Yonkers and reduce the Video Lottery Terminal Aid to the City of Yonkers by five percent.**
- **The Assembly does not include the Executive proposal to revise the existing AIM Program, including replacing State-funded AIM payments for certain towns and villages with sales tax funded AIM payments.**
- **The Assembly does not include the Executive proposal to extend local governments' authority to utilize certain competitively bid contracts until July 31, 2023.**
- **The Assembly does not include the Executive proposal to provide counties with additional investment options.**
- **The Assembly does not include the Executive proposal to make the County-Wide Shared Services Initiative permanent and revise certain procedures.**
- **The Assembly does not include the Executive proposal to allow contiguous counties with an approved intermunicipal agreement to share jails.**
- **The Assembly does not include the Executive proposal to preempt New York City's zoning power related to the conversion of hotels and commercial properties to affordable housing.**
- **The Assembly proposes Article VII language that would reinstate state AIM payments for towns and villages and repeal the authorization for county sales tax revenues to be intercepted for such payments.**

Labor Management Committees

State Operations

- **The Assembly eliminates \$300,000 for the Empire Star Public Service Award.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Independent Redistricting Commission

State Operations

- **The Assembly provides \$7 million for the Independent Redistricting Commission.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Special Federal Emergency Appropriation

State Operations

- **The Assembly proposes a \$10 billion increase to the Special Federal Emergency appropriation for a total of \$45 billion, and modifies the language to restore oversight by the speaker of the Assembly or the chair of the Assembly Ways and Means Committee and the temporary president of the Senate or the chair of the Senate Finance Committee.**

Aid to Localities

- **The Assembly increases the Special Federal Emergency organizations from \$9 billion to \$13 billion and modifies the language to make spending from the appropriation subject to Section 53 of State Finance Law. The Assembly also includes a schedule of programs totaling \$3.02 billion as follows:**
 - **\$1 billion for the Small Business Reopening and Relief Grant Program to provide support for small businesses;**
 - **\$843 million in additional resources for the Statewide Emergency Rental Assistance Program for a total of \$3.125 billion, including:**
 - **\$400 million to provide rental assistance to tenants past the federally allowable 15-month period;**
 - **\$200 million for the Statewide Emergency Homelessness Assistance Program, providing rental subsidies up to 100 percent of fair market rent;**
 - **\$100 million to supplement \$575 million in federal mortgage relief funding to help assist homeowners with mortgage, utility, insurance, or other expenses to keep people housed; and**
 - **\$100 million to provide assistance to small landlords impacted by COVID-19 whose tenants are ineligible for otherwise;**
 - **\$310 million to public housing throughout New York State, which when combined with funding provided in the Division of Housing and Community Renewal, would provide \$750 million for the New York City Housing Authority (NYCHA) and \$185 million for public housing;**

- **\$180 million for capital expansion projects for the State University of New York (SUNY);**
- **\$125 million for AIM, which would provide support cities, towns, and villages;**
- **\$120 million for capital expansion projects for the City University of New York (CUNY);**
- **\$100 million for the Arts Recovery and Revitalization Program to provide support for the reopening of arts organizations and the conversion of outdoor venues;**
- **\$100 million to support operating costs for nonprofit agencies statewide;**
- **\$51.8 million to restore the human services cost of living adjustment (COLA) and authorize the COLA starting on April 1, 2021. This COLA for providers would result in an increase of \$26.9 million for Office for People with Developmental Disabilities (OPWDD), \$15 million for Office of Mental Health (OMH), \$4.3 million for Office of Addiction Services and Supports (OASAS), \$2.54 million for Office of Children and Family Services (OCFS), \$2.02 million for State Office for the Aging (SOFA), and \$1 million for Office of Temporary and Disability Assistance (OTDA);**
- **\$50 million for Nourish NY;**
- **An additional \$40 million for anti-gun violence programs including Operation S.N.U.G, Cure Violence, and project GIVE such that \$25 million shall be made available to programs located in the city of New York, \$13.8 million shall be made available to programs located outside of the city of New York, and \$1.2 million shall be made available for project GIVE;**
- **\$25 million for the I LOVE New York Restaurants grant program, which will provide meals to people in need;**
- **\$25 million in funding to reimburse OMH, OASAS and OPWDD community-based providers for Personal Protective Equipment (PPE) costs as a result of the COVID-19 pandemic;**
- **\$20 million to support Medication Assisted Treatment (MAT) for correctional facilities;**
- **\$15 million for a digital inclusion grant program;**
- **\$10 million for the operating costs of county and local fairs;**

- **\$3 million for a comprehensive statewide broadband availability, affordability, and reliability study of high-speed internet and broadband services in New York State and for the cost to produce, maintain, and publish online a detailed internet access map of the state;**
- **\$1 million for implicit bias training for public school teachers;**
- **\$900,000 to support the installation of broadband in state-operated congregate facilities; and**
- **\$125,000 to enhance the care and coverage of medically fragile children.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly proposes a new Article VII language for the Small Business Reopening and Relief Grant Program to stabilize and assist small businesses impacted by COVID-19. This program provides funding for essential businesses costs such as payroll, rent, insurance, PPE, and license fees. Businesses like Minority and Women Owned Business, micro-businesses, veteran-owned, and businesses in significantly impacted industries will receive priority and access to funds temporarily set aside for them to ensure access.**
- **The Assembly proposes Article VII language that would require the Public Service Commission to study and accurately map broadband internet connectivity, availability, and affordability statewide.**

EDUCATION, LABOR & FAMILY ASSISTANCE

By Agency

Assembly Budget Proposal SFY 2021-22
Division of Veterans' Services

The Assembly provides an All Funds appropriation of \$20.84 million, an increase of \$1.19 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly provides \$1.19 million for various veterans support programs.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal that would modify the operations of Veterans Treatment Courts.**

Assembly Budget Proposal SFY 2021-22 Council on the Arts

The Assembly provides an All Funds appropriation of \$62.88 million, an increase of \$16 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly provides \$15 million in operating support for the Council on the Arts Program; and**
- **The Assembly provides \$1 million in stabilization grants to support small and mid-sized arts organizations.**

Capital

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2021-22 City University of New York (CUNY)

The Assembly provides an All Funds appropriation of \$5.2 billion, an increase of \$351.1 million over the Executive proposal.

State Operations

- **The Assembly restores \$26.2 million to deny an Executive proposal to reduce operating support.**
- **The Assembly does not include the Executive proposal to increase tuition by \$200 a year for the next four years and instead provides an additional \$33 million of operating aid to make up for lost tuition revenue.**
- **The Assembly provides \$26.3 million in operating support to close the Tuition Assistance Program (TAP) gap.**
- **The Assembly provides \$33.7 million for the Search for Education, Elevation, and Knowledge (SEEK) Opportunity Program, a \$5.6 million increase over the Executive proposal.**
- **The Assembly restores \$1.5 million to the School of Labor and Urban Studies.**
- **The Assembly restores \$250,000 for the CUNY Pipeline at the Graduate Center.**

Aid to Localities

- **The Assembly restores \$10 million to CUNY community college base aid to keep community college funding level with Academic Year (AY) 2020-21. The Assembly would provide a 100 percent college level save harmless floor for the 2021-22 AY and a 98 percent floor going forward to provide a consistent base of support for individual colleges.**
- **The Assembly restores \$2.5 million in funding for the Accelerated Study in Associates Program (ASAP).**
- **The Assembly restores \$902,000 to community college child care centers.**
- **The Assembly restores \$447,000 for rental aid.**

- **The Assembly provides an additional \$270,000 to College Discovery.**

Capital Projects

- **The Assembly increases critical maintenance funding by \$66 million for a total of \$350 million.**
- **The Assembly provides \$120 million for expansion projects.**
- **The Assembly provides \$15 million in capital funding to support green power and wind power training programs.**

Article VII

- **The Assembly does not include the Executive proposal to authorize CUNY to set a lower tuition rate for certain certificate programs deemed high demand by the Chancellor.**
- **The Assembly modifies the Executive proposal to extend the current Maintenance of Effort (MOE) for CUNY by expanding the MOE to provide funding for increases in mandatory costs and increases in the TAP tuition credit.**
- **The Assembly accepts the Executive proposal to extend SUNY and CUNY's procurement authorizations for an additional five years but rejects the proposal to authorize SUNY to purchase services through a consortium.**
- **The Assembly accepts the Executive proposal to extend, for two years, the tuition rate that CUNY is authorized to receive from the state for the Excelsior Scholarship and provides that such tuition rate must reset annually thereafter.**

Assembly Budget Proposal SFY 2021-22 State Education Department (SED)

The Assembly provides an All Funds appropriation of \$41.98 million, an increase of \$3.2 billion over the Executive proposal.

State Operations

- The Assembly restores \$225,000 for the East Ramapo School Monitor.

Aid to Localities

Office of Prekindergarten through Grade 12 Education

- The Assembly does not include the Executive proposal to institute a \$1.35 billion local district funding adjustment for School Year (SY) 2021-22.
- The Assembly would increase Foundation Aid by \$1.4 billion and would fully phase Foundation Aid in over three years. As part of this increase, the Assembly would provide that school districts receive at least 60 percent of their Foundation Aid funding for SY 2021-22. The Assembly would fund Foundation Aid at a total of \$19.8 billion.
- The Assembly does not include the Executive proposal to consolidate 11 expense-based aid categories into Services Aid and allows such reimbursements to run at their present law level. The Assembly denies the Executive reduction to expense-based aids, restoring \$692.7 million in funding.
- Additional funding for the Local District Funding Adjustments, Foundation Aid and Expensed-based Aids results in a State funded increase to School Aid of \$3 billion or 12 percent over the 2020-21 SY, for a total of \$29 billion.
- The Assembly accepts the Executive proposed allocation of the Federal COVID-19 Supplemental Stimulus funds and clarifies that the funding can be used by school districts over multiple years, consistent with federal law. This funding would be used to remediate learning loss, to ensure that school facilities are properly equipped to keep students and staff safe; for training and professional development; purchasing supplies to sanitize and clean facilities; planning for activities to deal with long term closures; purchasing education technology; mental health services and support; summer learning and supplemental afterschool programming; and addressing the needs of low-income

students, students with disabilities, English language learners, migrant students, students experiencing homelessness, and children in foster care.

- The Assembly denies the Executive proposal to eliminate \$18.7 million for school districts' prior year claims, and to expunge all claims currently in the queue, totaling \$303 million. The Assembly also restores the \$26.4 million fiscal stabilization grant to New York City.
- The Assembly denies the Executive proposal to repeal the following teacher programs from law and proposes to restore them;
 - \$25 million for Teachers of Tomorrow;
 - \$14.3 million for Teacher Resource Centers;
 - \$2 million for the Teacher-Mentor Intern program; and
 - \$400,000 for the National Board of Professional Teaching Standards.

Charter Schools

- The Assembly denies the Executive proposal to reduce charter school supplemental basic tuition. The Executive proposal was estimated to reduce payments to school districts by \$35 million.
- The Assembly denies the Executive proposal to eliminate the \$47 million in State reimbursement for Charter Facilities Aid to New York City.
- The Assembly denies the Executive proposal to provide that a charter that has been surrendered, revoked, terminated, or not renewed after July 1, 2015 may be reissued and that such reissuance would not be counted toward the statewide charter cap or the regional charter cap.

Nonpublic Schools

- The Assembly restores funding for the following programs:
 - \$3.9 million to Nonpublic School Aid payments provided through Mandated Services Aid and the Comprehensive Attendance Program, and increases funding for nonpublic schools by \$6 million;
 - \$600,000 to Nonpublic STEM funding, and increases the base funding by \$5 million, for a total of \$35 million;
 - \$18,000 to Academic Intervention Services for nonpublic schools; and
 - **denies** the Executive proposal to cap the State's liability to nonpublic schools to annually appropriated funding levels.

- The Assembly accepts the Executive proposal to alter Nonpublic School Aid payment periods and to establish statutory claiming deadlines for nonpublic schools.
- The Assembly proposes an increase for Universal Prekindergarten of \$75 million, for a total of \$923.6 million.
- The Assembly restores funding for the following programs:
 - \$1.5 million for Adult Literacy Education;
 - \$1.5 million for the Consortium for Worker Education;
 - \$1.2 million for the Buffalo School Health Services Grants;
 - \$1.2 million for the Rochester School Health Services Grants;
 - \$1 million for the East Ramapo School District;
 - \$500,000 for the Teacher Diversity Pipeline Pilot;
 - \$500,000 for the Long Island Pre-K Initiative;
 - \$475,000 for the Executive Leadership Institute;
 - \$461,000 for Bard College, Queens;
 - \$385,000 for the Bilingual Teacher Institute;
 - \$175,000 for the Rochester school district monitors;
 - \$87,500 for the Hempstead school district monitor; and
 - \$87,500 for the Wyandanch school district monitor.
- The Assembly provides \$10 million for homeless students, including funding for trauma-informed practices in schools.
- The Assembly provides \$10 million to support mental health in schools.
- The Assembly provides \$1 million for services and expenses of implicit bias training.

Schools for Children with Disabilities

- The Assembly proposes an increase of \$3 million for 4201 schools, for a total of \$106.9 million.
- The Assembly restores funding for the following programs:
 - \$903,000 for the Henry Viscardi School;
 - \$903,000 for the New York School for the Deaf;
 - \$500,000 for the Cleary School; and
 - \$500,000 for Independent Living Centers.
- Additionally, the Assembly provides \$500,000 for dyslexia screenings.

Cultural Education

- **The Assembly restores \$4.6 million and increases base funding by \$5 million for Aid to Public Libraries, for a total of \$96.6 million.**
- **The Assembly restores \$250,000 for the Schomburg Center for Research in Black Culture and \$75,000 for the Langston Hughes Community Library.**
- **The Assembly restores \$700,000 for Public Broadcasting, for a total of \$14 million.**

Office of Higher Education and the Professions

- **The Assembly provides a \$7.1 million increase for the Higher Educational Opportunity Program (HEOP) for a total of \$42.6 million.**
- **The Assembly provides a \$3.7 million increase for the Liberty Partnership Program for a total of \$22.0 million.**
- **The Assembly provides a \$3.2 million increase for the Science and Technology Entry Program (STEP) for a total of \$19 million.**
- **The Assembly provides a \$2.4 million increase for the Collegiate Science and Technology Entry Program (CSTEP) for a total of \$14.4 million.**
- **The Assembly provides a \$1.2 million increase for the Foster Youth Initiative for a total of \$7.2 million.**
- **The Assembly restores \$35.1 million in unrestricted aid to independent colleges and universities (Bundy Aid).**
- **The Assembly provides \$2 million in funding to provide additional support for resident students with disabilities attending college in New York.**

Capital Projects

- **The Assembly provides \$30 million for a second round of funding for 4201 capital needs.**
- **The Assembly provides an additional \$20 million to library construction grants over the Executive's proposal, for a total of \$34 million.**

Article VII

- **The Assembly does not include the Executive proposal to authorize a school district, private school, or board of cooperative educational services (BOCES) to apply to State Education Department (SED) for a waiver from certain special education requirements.**
- **The Assembly does not include the Executive proposal to provide that certain approved curricula or programs of study at public and not-for-profit colleges and universities that have met certain criteria shall be deemed registered by SED 30 days after notification of approval by the governing body of such school.**
- **The Assembly submits the following Article VII proposals:**
 - **Forgiveness for Specific Districts: The Assembly includes provisions to forgive late filings for Building and Transportation Aids;**
 - **Prior Year Payments Adjustment: The Assembly proposes to allow recovered overpayments to schools to be used to pay for prior year claims;**
 - **UPK Teacher Certification: The Assembly proposes a one-year extension for teacher certifications;**
 - **4410/853, and Special Act Schools: The Assembly proposes temporary changes to the rate setting methodology to protect schools from losses of revenue due to the COVID-19 pandemic;**
 - **Unrestricted Fund Balance Flexibility: The Assembly proposes to temporarily increase the unrestricted reserve fund balance limit from four percent to six percent for a period of three years;**
 - **Farm to School: The Assembly proposes provisions for a technical fix to allow school lunches provided through the Summer Food Service Program to be eligible for the Farm-to-School program during the COVID-19 pandemic-state disaster emergency;**
 - **Rochester and Syracuse Joint School Construction Board (JSCB): The Assembly authorizes the next phases of Rochester and Syracuse’s JSCBs to help the school districts move forward with their capital plans.**
 - **Gap Elimination Adjustment (GEA) Technical Fix: The Assembly proposes to remove obsolete language referring to the GEA;**

- **The Assembly proposes to make students in Staten Island eligible for the Transportation After 4 program; and**
- **The Assembly proposes to extend various provisions of law.**

**Assembly Budget Proposal: SFY 2021-22
Office of Children and Family Services (OCFS)**

The Assembly provides an All Funds Appropriation of \$6.95 billion, an increase of \$2.47 billion over the Executive proposal.

State Operations

- **The Assembly restores \$10.9 million and does not include Article VII language that would allow for the closure of four youth facilities within six months.**

Aid to Localities

- **The Assembly provides language to direct up to \$1.83 billion in anticipated federal child care aid to priority areas. This would include expanding access to families up to 85 percent of the state median income, expanding access to priority groups not currently in receipt of subsidies, limiting copays, compensation for absences, and workforce stabilization investments.**
- **The Assembly provides \$500 million for additional state child care to support providers and families to expand eligibility and access to subsidies.**
- **The Assembly restores \$59.8 million in local assistance for multiple programs including Child Care, Child Welfare Services, Foster Care, Adoption Subsidies, Adult Protective and Domestic Violence Services, Youth Programs and Children's Services Programs.**
- **The Assembly restores \$28 million for the state share for Committee on Special Education placements outside of New York City.**
- **The Assembly increases funding for child care with OCFS by \$26.9 million, and decreases funding in the Office of Temporary Disability Assistance's Temporary Assistance to Needy Families (TANF) appropriation for the same purpose.**
- **The Assembly restores \$1.6 million for the Supervision and Treatment Services for Juveniles Program (STSJP) Programs and shifting it back to a single program.**
- **The Assembly restores \$1.2 million for the Community Optional Preventative Services (COPS) and shifting the Executive Proposal to a single program.**

- **The Assembly modifies appropriation language for the Youth Development Program and Runaway and Homeless Youth Program, reverting the time frame for program reimbursement from three months back to 12 months.**
- **The Assembly makes the following legislative restorations in our One House proposal:**
 - **\$3 million for Safe Harbor;**
 - **\$2.5 million for Settlement Houses;**
 - **\$1.9 million for Kinship Care;**
 - **\$1.5 million for Youth Development Program; and**
 - **\$100,000 for Kinship Navigator.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly proposes to make permanent the consolidation of funding for the Youth Development and Delinquency Prevention Program and the Special Delinquency Prevention Program.**
- **The Assembly proposes to make permanent the authority for OCFS to contract with BOCES to provide certain educational services to youth in OCFS juvenile justice facilities.**
- **The Assembly modifies the proposal relating to the placement of foster care youth into a Qualified Residential Treatment Program (QRTP) by more closely mirroring the federal requirements and providing more flexibility to ensure more stability for youth in care.**
- **The Assembly modifies the proposal regarding child care copayments and administrative actions taken by child care providers and applicants by making technical amendments to clarify the limits on the co-payment and does not include provisions related to administrative steps that do not have a fiscal associated with them.**
- **The Assembly does not include the proposal to close four Office of Children and Family Services Youth Facilities and waive the one-year closure notice requirement for such facilities.**
- **The Assembly does not include the proposal to eliminate state reimbursement for residential Committee on Special Education (CSE) placements made by school districts**

outside of New York City and for students attending a state-operated school for the deaf or blind.

- **The Assembly does not include the proposal that would require local social services districts to establish a Differential Response Program to Child Protective Services for allegations of maltreatment.**
- **The Assembly does not include the proposal to eliminate the word “incorrigible” from the Family Court Act and Education Law.**
- **The Assembly provides language to provide supports and services for youth suffering from Adverse Childhood Experiences (ACEs); updates the mandated reporter training to include protocols for removing implicit bias in the decision-making process, strategies for identifying ACE’s and child abuse and maltreatment while interacting virtually; and expands CHIP covered health care services to include early and periodic screening, diagnosis and treatment for children eligible for medical assistance.**
- **The Assembly provides language to ensure that funds received by foster care agencies through the federal Paycheck Protection Program (PPP) do not reduce such agencies’ future Maximum State Aid Rates (MSAR).**

Assembly Budget Proposal SFY 2021-22 Office of Temporary and Disability Assistance

The Assembly provides an All Funds appropriation of \$10.38 billion, an increase of \$3.13 billion over the Executive proposal. Additionally, the Assembly provides an additional \$843 million for additional rental assistance and \$100 million to support increased operating costs for nonprofit organizations.

State Operations

- The Assembly restores language to include reimbursement to districts for 50 percent of non-federal share for the automated finger imaging system (AFIS).

Aid to Localities

- The Assembly provides \$2.1 billion to create a fund for New Yorkers who do not have access to unemployment, federal stimulus funds, and other assistance programs during the COVID-19 pandemic. The Office of Temporary and Disability Assistance shall establish a program to provide recurring economic support for excluded workers who have experienced a financial hardship. Funds will also be provided to nonprofit organizations to conduct education and outreach in order to inform workers about the program and how to access benefits.
- The Assembly includes an additional \$1 billion in federal assistance for the Statewide Emergency Rental Assistance Program, for a total of \$2.28 billion in federal funding. The Assembly also provides \$843 million in state resources for the Statewide Emergency Rental Assistance Program for an overall total of \$3.125 billion, including specific allocations for the following:
 - \$400 million to provide rental assistance to tenants beyond the federally allowable eligibility period;
 - \$200 million for the Statewide Emergency Homelessness Assistance Program, providing rental subsidies up to 100 percent of Fair Market Rent (FMR);
 - \$100 million in state funding to supplement \$575 million in federal relief to help assist homeowners with mortgage, utility, insurance, or other expenses to keep people housed; and

- **\$100 million to provide assistance to small landlords impacted by COVID-19 whose tenants are otherwise ineligible for assistance under the federal program.**
- **The Assembly provides \$100 million to support operating costs for non-profit agencies statewide.**
- **The Assembly provides \$26.9 million in Temporary Assistance for Needy Families (TANF) funding to provide support for the following legislative initiatives that were eliminated in the Executive Budget:**
 - **\$8.5 million for Facilitated Enrollment;**
 - **\$5 million for additional funding for Advantage Afterschool;**
 - **\$4 million for ATTAIN;**
 - **\$3 million for additional funding for Non-Residential Domestic Violence, for a total of \$6 million;**
 - **\$2.85 million for Career Pathways;**
 - **\$1.57 million for Preventive Services;**
 - **\$800,000 for ACCESS;**
 - **\$475,000 for Wage Subsidy Program;**
 - **\$334,000 for SUNY/CUNY Child Care;**
 - **\$200,000 for Jewish Child Care Association of New York;**
 - **\$144,000 for Wheels for Work;**
 - **\$82,000 for Rochester Genesee Regional Transportation Authority; and**
 - **\$25,000 for Centro of Oneida.**
- **The Assembly restores \$15 million for the New York City Rental Assistance Program and \$5 million for the Rest of State Rent Cap Pilot Program.**
- **The Assembly provides a restoration of the five percent local assistance withholdings for a total of \$4.4 million in funding for the Adult Shelter Reimbursement, Code Blue, Public Homes, the HIV/AIDS Welfare to Work Program, and the Public Assistance Initiative for Formerly Incarcerated.**
- **The Assembly provides \$3 million for refugee resettlement agencies statewide.**
- **The Assembly provides \$1.5 million for the Disability Advocacy Program (DAP), for a total of \$4.13 million.**
- **The Assembly does not include appropriation language to allow the State to withhold public assistance funding if counties fail to comply with regulations requiring a Homeless Outreach and Services plan.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly accepts the Executive proposal increasing the Federal Supplemental Security Income (SSI) Cost of Living (COLA) in 2022, which provides an increase of \$2 to \$16 depending on living arrangement.**
- **The Assembly accepts the Executive proposal transferring the administration of the Gifts to Food Banks funds from the Office of Temporary and Disability Assistance to the Department of Health.**
- **The Assembly does not include the Executive proposal streamlining the process of transferring unclaimed child support funds to the OSC Office of Unclaimed Funds.**
- **The Assembly modifies the Executive proposal related to the Emergency Rental Assistance local government allocation fund by clarifying that the funds must be utilized to provide assistance from the specific municipal recipient and adds language to create the Statewide Emergency Rental Assistance Program and the Statewide Emergency Homeless Assistance Program. The Statewide Emergency Rental Assistance Program will provide aid to eligible renters with rental arrears and utility arrears, internet expenses and future rent. Prioritization will be given to individuals with income under 50 percent of the Area Median Income (AMI), those who rent from a small landlord; those who are from a vulnerable population, such as victims of domestic violence and veterans, or from a community disproportionately impacted by the COVID-19 pandemic; and those involved in eviction proceedings. The Statewide Emergency Homeless Assistance Program will help individuals experiencing homelessness secure stable housing by providing a supplement to individuals up to 100 percent of the FMR. Funds would be equitably distributed across the state based on local social services districts with high levels of homelessness.**

Assembly Budget Proposal SFY 2021-22 Higher Education Services Corporation

The Assembly provides an All Funds appropriation of \$1.2 billion, an increase of \$170 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly provides \$150 million for the Tuition Assistance Program (TAP), increasing the maximum TAP award by \$1,000 for a maximum award of \$6,165, for a total of \$996.6 million.
- The Assembly provides a new \$20 million for the Dr. Martin Luther King, Jr. scholarship for non-tuition expenses.

Capital Projects

- Not applicable.

Article VII

- The Assembly accepts the Executive proposal to extend state financial aid eligibility for any 2019-20 or 2020-21 AY award recipient who was not able to complete a semester, quarter or term because of the COVID-19 pandemic.
- The Assembly accepts the Executive proposal to extend for two years the tuition rate that SUNY and CUNY are authorized to receive from the state for the Excelsior Scholarship and provide that such tuition rate must reset annually thereafter.
- The Assembly accepts the Executive proposal to extend for five years tuition benefits for eligible members of the New York State military forces to attend college in New York State.

Assembly Budget Proposal SFY 2021-22
Division of Housing and Community Renewal

The Assembly provides an All Funds appropriation of \$1.68 billion, an increase of \$1 billion over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly provides \$935 million to housing authorities throughout New York State, with \$750 million of these funds going to the New York City Housing Authority (NYCHA) and \$185 million to other housing authorities.**
- **The Assembly provides \$100 million for state and local supervised Mitchell Lama Housing across the State.**

Article VII

- **The Assembly increases funding from the Mortgage Insurance Fund (MIF) by \$20 million to fund the Homeowner Protection Program.**
- **The Assembly requires that a new five-year housing plan be presented in 2022.**
- **The Assembly does not include the Executive proposal to expand the authority of the State of New York Mortgage Agency (SONYMA) to purchase mortgage loans from community development financial institutions and other not-for profit corporations licensed by the State Department of Financial Services, and to purchase mortgages secured by new construction loans and proposes to deal with this issue outside of the Budget as there is no budgetary impact to this proposal.**
- **The Assembly restores the traditional \$150,000 set asides in the MIF for both the Neighborhood Preservation Coalition and the Rural Preservation Coalition.**

**Assembly Budget Proposal SFY 2021-22
Division of Human Rights**

The Assembly provides an All Funds appropriation of \$18.15 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal to apply the anti-discrimination provisions of the Human Rights Law to for-profit educational institutions.**
- **The Assembly does not include the Executive proposal to prohibit discrimination based on citizenship and immigration status within the Human Rights Law.**
- **The Assembly does not include the Executive proposal to create a mechanism allowing courts, on petition from an adult or from a parent or guardian on behalf of a child, to change the sex or gender designation of a person on official government documents under the Civil Rights Law.**

**Assembly Budget Proposal SFY 2021-22
Department of Labor**

The Assembly provides an All Funds appropriation of \$62.05 billion, an increase of \$2.37 million over the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly repurposes \$50 million for the COVID-19 Recovery Workforce Initiative to include language ensuring that funds are directed toward those who have been most impacted by the economic fallout due to the pandemic, including women, minorities, and those who have been receiving unemployment benefits for an extended period of time. Of this, \$20 million will support training and retention of workers in nursing homes.**
- **The Assembly restores the following:**
 - **\$1.62 million in funding for Displaced Homemaker Program, a restoration of the SFY 2020-21 level;**
 - **\$350,000 in funding for the New York Committee on Occupational Safety and Health, a restoration of the SFY 2020-21 level;**
 - **\$200,000 for various labor initiatives;**
 - **\$150,000 for the Sexual Harassment Prevention at Cornell University; and**
 - **\$50,000 for the Labor Relations School of Cornell Criminal Records Program.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly proposes to modify the following Article VII proposal:**
 - **requiring prevailing wage and additional labor standards for certain renewable energy systems.**

- **The Assembly proposes does not include the following Article VII proposals:**
 - **modifying partial unemployment insurance benefits, as A.2355-A (Stirpe) has already passed both houses of the legislature;**
 - **requiring public and private employers to provide up to four hours of paid leave to employees for COVID-19 vaccine injections, as A.3354-B (Fall) has already passed both houses of the legislature;**
 - **amending Chapter 21 of the Laws of 2021, which provides for the exclusion of unemployment claims resulting from the COVID-19 pandemic from employers' experience rating accounts;**
 - **authorizing the New York State Insurance Fund to enter into agreements with other workers' compensation insurance carriers to provide out-of-state coverage to its policyholders;**
 - **providing the New York State Insurance Fund greater flexibility with regard to its investments of surplus funds; and**
 - **updating the methodology for setting the New York State Insurance Fund's deposits and reserves for workers' compensation claims.**

**Assembly Budget Proposal SFY 2021-22
State of New York Mortgage Agency**

The Assembly provides an All Funds appropriation of \$217.8 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal to expand the authority of the SONYMA to purchase mortgage loans from community development financial institutions and other not-for profit corporations licensed by the State Department of Financial Services, and to purchase mortgages secured by new construction loans and proposes to deal with this issue outside of the Budget as there is no budgetary impact to this proposal.**

Assembly Budget Proposal SFY 2021-22 State University of New York (SUNY)

The Assembly provides an All Funds appropriation of \$12.1 billion, an increase of \$491.2 million over the Executive proposal.

State Operations

- The Assembly rejects the Executive proposal to reduce operating support by \$46.4 million for unallocated operating support.
- The Assembly rejects the Executive proposal to increase tuition by \$200 a year for the next four years and instead provides an additional \$50 million in operating support to make up for the lost tuition revenue.
- The Assembly provides \$23 million in operating support to close the Tuition Assistance Program (TAP) gap.
- The Assembly provides an additional \$6.4 million for the Educational Opportunity Program (EOP), for a total of \$38.6 million.
- The Assembly restores \$700,000 for Small Business Development Centers, for a total of \$2.7 million.
- The Assembly restores \$600,000 for Graduate Diversity Fellowships, for a total of \$6.6 million.
- The Assembly restores \$500,000 for telehealth mental health services.
- The Assembly restores \$250,000 for the Cornell Veterinary School.
- The Assembly restores \$200,000 for the SUNY Institute for Leadership, Diversity and Inclusion.
- The Assembly restores \$150,000 for the Hispanic Leadership Institute, for a total of \$350,000.

Aid to Localities

- **The Assembly restores \$33 million to SUNY community college base aid to maintain Academic Year (AY) 2020-21 funding levels. The Assembly would provide a 100 percent college level save harmless floor for the 2021-22 AY and a 98 percent floor prospectively to provide a consistent base of support for individual colleges.**
- **The Assembly restores \$1.1 million to community college child care centers.**
- **The Assembly restores \$196,000 to Cornell Cooperative Extension and provides an additional \$1 million, for a total of \$4.9 million.**
- **The Assembly restores \$579,000 to rental aid.**

Capital Projects

- **The Assembly increases critical maintenance funding by \$100 million for a total of \$660 million.**
- **The Assembly provides \$180 million for expansion projects.**
- **The Assembly provides \$30 million in capital funding for Educational Opportunity Centers.**

Article VII

- **The Assembly rejects the Executive proposal to authorize SUNY to set a lower tuition rate for certain certificate programs deemed by the Chancellor to be in high demand.**
- **The Assembly modifies the Executive proposal to extend the current MOE for SUNY by expanding the MOE to provide funding for increases in mandatory costs and increases in the TAP tuition credit.**
- **The Assembly accepts the Executive proposal to extend SUNY procurement authorizations for an additional five years but rejects the proposal to authorize SUNY to purchase services through a consortium.**
- **The Assembly accepts the Executive proposal to extend state financial aid eligibility for any 2019-20 or 2020-21 AY award recipient who was not able to complete a semester, quarter or term because of the COVID-19 pandemic.**

- **The Assembly accepts the Executive proposal to extend, for two years, the tuition rate that SUNY is authorized to receive from the state for the Excelsior Scholarship and provides that such tuition rate must reset annually thereafter.**

**Assembly Budget Proposal SFY 2021-22
Office of Welfare Inspector General**

The Assembly provides an All Funds appropriation of \$1.31 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2021-22
Miscellaneous: Education, Labor, and Family Assistance

Arts and Cultural Facilities Improvement Program

The Assembly provides an All Funds appropriation of \$20 million.

- **The Assembly provides \$20 million for the Arts and Cultural Facilities Improvement Program, which would provide facility enhancement grants to small and mid-sized organizations, to be administered by the New York State Council on the Arts. This funding would require regional balance in the selection of awards and does not place matching requirements upon grant recipients.**

Higher Education Facilities Capital Matching Grants Program

The Assembly provides an All Funds appropriation of \$30 million.

Capital Projects

- **The Assembly provides \$30 million for an additional round of Higher Education Matching Grants Program (HECap) funding.**

Raise the Age

The Assembly provides an All Funds Appropriation of \$250 million.

State Operations

- **Not applicable.**

Aid to Localities

- **The Assembly restores \$19.5 million for local reimbursement for Raise the Age facilities.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

HEALTH & MENTAL HYGIENE

By Agency

Assembly Budget Proposal SFY 2021-22 State Office for the Aging

The Assembly provides an All Funds appropriation of \$273.8 million, an increase of 14.2 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly provides \$2 million to restore the Human Services COLA for SOFA providers
- The Assembly provides \$5 million in funding for the Community Services for the Elderly Program.
- The Assembly provides \$5 million in funding for the Expanded In-home Services for the Elderly Program (EISEP).
- The Assembly provides \$2 million in funding for the Naturally Occurring Retirement Community (NORC) and Neighborhood Naturally Occurring Retirement Community (NNORC) nursing services.
- The Assembly provides an additional \$1 million in funding for the Long Term Care Ombudsman Program.
- The Assembly provides \$350,000 in funding for the Holocaust Survivors Initiative.
- The Assembly restores \$1.676 million in funding for various other aging support programs, including Lifespan of Greater Rochester (\$250,000) and the New York Foundation for the Senior Citizens Home Sharing and Respite Care Program (\$86,000).

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2021-22
Developmental Disabilities Planning Council**

The Assembly provides an All Funds appropriation of \$4.76 million.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2021-22 Department of Health

The Assembly provides an All Funds appropriation of \$187.7 billion, an increase of \$3.2 billion from the Executive proposal.

State Operations

- The Assembly does not include the Executive's proposal to **eliminate the New York Stem Cell (NYSTEM) Program, restoring \$12.84 million.**
- The Assembly does not include the Executive's proposal to eliminate hospital resident working hour's audits, restoring \$1 million.
- **The Assembly does not include the Executive's proposal to eliminate exemptions under the Electronic Prescribing System, restoring \$500,000.**

Aid to Localities

- The Assembly does not include the Executive's proposal to eliminate the Managed Care Quality Pool, restoring \$60 million.
- **The Assembly does not include the Executive's proposal to eliminate the Public Indigent Care Pool (ICP), restoring \$65.4 million.**
- The Assembly does not include the Executive's proposal to reduce the hospital capital rate add-on, restoring \$8.5 million.
- **The Assembly does not include the Executive's proposal to eliminate the Managed Long Term Care (MLTC) Quality Pool, restoring \$51.75 million.**
- The Assembly does not include the Executive's proposal to reduce **support for Workforce Recruitment and Retention, restoring \$22.5 million.**
- The Assembly does not include the Executive's proposal to eliminate Prescriber Prevails, restoring \$6.7 million.
- The Assembly does not include the Executive's proposal to reduce coverage for certain **over the counter drugs, restoring \$8.7 million.**

- The Assembly does not include the Executive’s proposal to implement a **one percent Across-the-Board cut to the Medicaid program, restoring \$94 million.**
- The Assembly does not include the Executive’s proposal to implement a **one percent rate reduction for the Office of People with Developmental Disabilities, restoring \$6.98 million.**
- The Assembly provides **\$11.3 million in MLTC savings resulting from the investment of \$5 million in the Expanded In-home Services for the Elderly Program (EISEP).**
- The Assembly provides **\$43.6 million to delay the carve-out of the pharmacy benefit for 340B and HIV Special Needs Plan providers to fee-for-service (FFS) for three years.**
- The Assembly provides **\$20 million for workforce recruitment and retention of nursing home certified nursing assistants (CNA) and home care personal aides.**
- The Assembly provides **\$125,000 to enhance care and coverage for medically fragile children.**
- The Assembly transfers **\$250 million for distressed hospital and nursing homes to the Medicaid general fund.**
- The Assembly provides **\$40 million in the form of a covered lives assessment on commercial health plans to improve the ability of the State and municipalities to effectively administer Early Intervention (EI) services.**
- The Assembly does not include the Executive’s proposals on **EI, restoring \$11.9 million.**
- The Assembly provides an additional **\$25 million for the Nourish New York program for a total of \$50 million.**
- The Assembly provides **\$180 million to eliminate dental and vision premiums for enrollees of the Essential Plan with income up to 200 percent of the federal poverty level (FPL).**
- The Assembly provides **\$19.5 million to expand Essential Plan coverage for individuals with a confirmed or suspected case of COVID-19 who are ineligible due to immigration status but would otherwise qualify.**
- The Assembly does not include the Executive’s proposal to reduce the reimbursement rate for **Article 6 expenditures for New York City, restoring \$20 million.**

- **The Assembly does not include an Executive proposal to reduce funding for the AIDS Drug Assistance Program, restoring \$5 million.**
- **The Assembly does not include the Executive’s proposal to reduce funding for the Rural Health Care Access and Network Development Program, restoring \$3.17 million.**
- **The Assembly does not include the Executive’s proposal to restructure payments for the Physician’s Excess Medical Malpractice program by splitting policy year payments over two years and reducing future Excess Medical Malpractice payments by half, restoring \$51.05 million.**
- **The Assembly restores \$18.15 million in public health funding for:**
 - **\$6.53 million for Enhancing the Quality of Adult Living (EQUAL);**
 - **\$3.45 million for the Empire Clinical Research Investigator Program (ECRIP);**
 - **\$2.43 million for the Spinal Cord Research Program;**
 - **\$1.91 million for the Infertility Program;**
 - **\$1.37 million for Public Health Alzheimer’s Programs;**
 - **\$1.34 million for the Rabies Prevention Program;**
 - **\$430,000 for the Health Promotions Initiative;**
 - **\$380,000 for the Enriched Housing Subsidy Program;**
 - **\$227,000 for the Maternal and Early Childhood Foundation Program;**
 - **\$69,000 for the Tick Disease Prevention Program; and**
 - **\$26,000 for the Long Term Care Community Coalition Program.**
- **The Assembly does not include the Executive’s proposal to reduce funding for the Center for Liver Transplant, restoring \$25,200.**
- **The Assembly does not include the Executive’s proposal to shift base funding for the Family Planning Program to the DFS, restoring \$7.49 million.**
- **The Assembly does not include the Executive’s proposal to shift base funding for the Enough is Enough Program to the Office for the Prevention of Domestic Violence (OPDV), restoring \$4.75 million.**
- **The Assembly provides \$3.04 million to expand the Child Health Insurance Program to cover Early Periodic Screening, Diagnosis and Treatment (EPSDT) services.**
- **The Assembly provides \$2.2 million to restore the Area Health Education Centers (AHEC) Program.**
- **The Assembly provides \$375,000 to restore the Cystic Fibrosis Program.**

- The Assembly provides \$100,000 to conduct a rate adequacy study for ambulettes.
- The Assembly provides \$100,000 to conduct a rate adequacy study for EI providers.
- The Assembly provides \$3.82 million to restore funding for School Based Health Centers.
- The Assembly provides \$1 million to restore funding for the Nurse-Family Partnership Program.
- The Assembly provides \$500,000 to fund additional Hepatitis C prevention and treatment.
- The Assembly provides \$7.12 million to restore funding for other public health programs that were eliminated in the Executive budget.

Capital Projects

- The Assembly does not include the Executive's proposal to eliminate the **EQUAL Program, restoring \$3.27 million.**

Article VII

- **HMH Part A** - The Assembly modifies the Executive's proposal to extend the Medicaid spending cap by **repealing this provision.**
- **HMH Part B** - The Assembly does not include the Executive's proposal to eliminate prescriber prevails provisions and to eliminate Medicaid coverage for certain over the counter drugs.
- **HMH Part C** - The Assembly modifies the Executive's proposal to establish a 340B reimbursement fund by delaying the Medicaid pharmacy transition from managed care to FFS for 340B entities and HIV Special Needs Plans.
- **HMH Part D** - The Assembly does not include the Executive's proposal to reduce Medicaid capital rate increases and eliminate ICP funding for major public general hospitals.
- **HMH Part E** - The Assembly does not include the Executive proposal to reduce increased funding for workforce recruitment and retention in personal care and home care services.

- **HMH Part F** - The Assembly modifies the Executive's proposal to expand telehealth services by accepting the elimination of originating site restrictions and rejecting modifications to Statewide Health Information Network of New York (SHIN-NY) information; the interstate licensure of telehealth providers; insurance plan network adequacy requirements; and health provider disclosures related to telehealth.
- **HMH Part G** - The Assembly modifies the Executive proposal to establish a medical respite pilot program for homeless individuals, by adding protective language to ensure that the program would not interfere with eligibility for other public benefits.
- **HMH Part H** - The Assembly modifies the Executive proposal on eliminating cost sharing obligations under the Essential Plan by also eliminating vision and dental copayment requirements, and expand coverage to individuals with a confirmed or suspected COVID diagnosis that would otherwise be eligible except for their immigration status.
- **HMH Part I** - The Assembly does not include the Executive proposal to direct the Commissioner of Health and the Superintendent of the Department of Financial Services to apply for federal waiver authority for the New York State of Health Marketplace.
- **HMH Part L** - The Assembly does not include the Executive proposal to reduce reimbursement to New York City for core public health services costs.
- **HMH Part M** - The Assembly does to include the Executive proposal to eliminate the Empire Clinical Research Investigator Program, discontinue new grants for stem cell research, eliminate the stem cell research program, eliminate new grants for spinal cord research and eliminate the Spinal Cord Research Program.
- **HMH Part N** - The Assembly does not include the Executive proposal to eliminate exemptions for mandatory electronic prescribing requirements.
- **HMH Part O** - The Assembly does not include the Executive proposals to eliminate the EQUAL program and hospital audits of resident working hours, and accept the Executive proposal to eliminate subsidies for the Enriched Housing Program.
- **HMH Part Q** - The Assembly does not include the Executive proposal to expand the Commissioner of Health's discretion and authority in proceedings under the Office of Professional Medical Conduct and to expand physician profile reporting requirements.
- **HMH Part S** - The Assembly modifies the Executive proposal to extend various sections of law.
- **HMH Part FF** - The Assembly does not include the Executive proposal to limit reimbursement under the Medical Indemnity Fund.

- **HMH Part GG - The Assembly does not include the Executive proposal related to adult care facilities and nursing homes.**
- **New Part II - The Assembly includes a proposal to carve out services for Medicaid enrollees with traumatic brain injuries or that qualify for nursing home diversion and transition services from Medicaid managed care. These recipients would remain in Medicaid FFS.**
- **New Part JJ - The Assembly includes a proposal to allow school-based health centers the choice of operating under Medicaid FFS, enabling them to choose to participate in Medicaid managed care**
- **New Part KK - The Assembly includes a proposal to extend Medicaid coverage for pregnant women who access coverage at higher income levels from the current 60-day period following pregnancy, to one year.**
- **New Part LL - The Assembly includes a proposal to restore the Adult Cystic Fibrosis Assistance Program, which provides financial assistance to adults with cystic fibrosis that are not eligible for Medicaid by reimbursing the recipients for the cost of health care or health insurance premiums.**
- **New Part MM - The Assembly includes a proposal to require the Department of Health to conduct a study on ambulette reimbursement rates under the Medicaid program.**
- **New Part NN - The Assembly includes a proposal to require the Department of Health to conduct a study on Early Intervention reimbursement rates under the Medicaid program.**
- **New Part PP - The Assembly includes a proposal to prohibit the Department of Health from imposing limitations in EI services.**
- **New Part QQ - The Assembly includes a proposal to establish the eligibility of individuals being discharged from a nursing home or adult home to the community for Special Income Standard for Housing Expenses which exempts an amount of income for the purpose of assisting with housing costs.**
- **New Part TT - The Assembly includes a proposal to restore and fund the AHEC program which provides students from diverse backgrounds with post-secondary training in health care professions and community-based training of medical students.**
- **New Part WW – The Assembly includes a proposal that would add additional state regions for participation in the State Directed Payment Model Demonstration Program.**

Assembly Budget Proposal SFY 2021-22
Office of the Medicaid Inspector General

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

**Assembly Budget Proposal SFY 2021-22
Department of Mental Hygiene**

The Assembly provides an All Funds appropriation of \$600 million.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

- Not applicable.

Article VII

- Not applicable.

Assembly Budget Proposal SFY 2021-22 Office of Addiction Services and Supports

The Assembly provides an All Funds appropriation of \$963.6 million, which is an increase of \$44.6 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly provides \$32 million to support crisis services, problem gambling, chemical dependence outpatient and treatment support services. This appropriation is supported from a recent opioid settlement with McKinsey and Company Inc.
- The Assembly provides \$25 million in funding to reimburse OASAS, OMH and OPWDD community-based providers for PPE costs as a result of the COVID-19 pandemic.
- The Assembly provides \$20 million in funding to support Medication Assisted Treatment (MAT) for state correctional facilities and local jails.
- The Assembly restores \$3.48 million and provides an additional \$2 million to fund the New York City Department of Education Substance Abuse Prevention and Intervention Specialist (SAPIS) for a total of \$5.4 million.
- The Assembly restores \$3.2 million in funding for OASAS HIV Early Intervention services.
- The Assembly restores \$1.87 million in funding for the Jail-based Substance Use Disorder Treatment and Transition Services Program.
- The Assembly restores \$1.2 million in funding for the College Coalition Intervention Program.
- The Assembly does not include the Executive language that would defer for one year the human services COLA, and instead authorizes the COLA starting on April 1, 2021. This would result in an increase of \$4.3 million for OASAS providers in SFY 2021-22.
- The Assembly restores \$826,000 in funding for outpatient rehabilitation services.

Capital Projects

- The Assembly accepts the Executive proposal and recommends no changes.

Article VII

- The Assembly does not include the Executive proposal to establish standards for addiction professionals.
- The Assembly does not include the Executive proposal that would create the Office of Addiction and Mental Health Services.

Assembly Budget Proposal SFY 2021-22 Office of Mental Health

The Assembly provides an All Funds appropriation of \$4.5 billion, an increase of \$71.5 million over the Executive proposal.

State Operations

- The Assembly restores \$22 million in funding to preserve 200 inpatient beds from state-operated psychiatric facilities. This funding would also preserve 280 full time equivalent (FTE) positions. The Assembly modifies the Executive Article VII language that would extend the requirement for OMH to reinvest savings from inpatient psychiatric bed closures, by setting aside \$4.4 million, or 20 percent to be used by community-based mental health programs to recruit and retain its workforce.
- The Assembly denies the conversion of Rockland Children's Psychiatric Center (RCPC) to a voluntary-operated center and restores \$8 million to preserve 15 inpatient beds and prevents beds to be transferred to NYC Children's Psychiatric Center in Bronx, NY. This funding would also preserve 75 FTE positions.
- The Assembly restores \$4 million to preserve 100 residential beds in State-operated facilities and 50 FTE positions.

Aid to Localities

- The Assembly provides \$25 million in funding to reimburse OMH, OASAS and OPWDD community-based providers for PPE costs incurred as a result of the COVID-19 pandemic.
- The Assembly restores \$17.2 million for local assistance payments for non-residential programs under OMH.
- The Assembly does not include the Executive language that would defer, for one year the human services COLA, and instead authorizes a COLA starting on April 1, 2021. This would result in an increase of \$15 million for OMH providers in SFY 2021-22.
- The Assembly provides \$10 million in funding to support statewide crisis intervention services and programs, including Crisis Intervention Training (CIT) and Mental Health First Aid training for law enforcement, first responders or local entities; mobile crisis teams which includes interdisciplinary teams of health and mental health professionals; implicit

bias training; and other alternative or innovative approaches related to community-based public safety crisis response.

- The Assembly restores \$4.5 million and includes an additional \$1.5 million to fund the Dwyer Veteran Peer-to-Peer Services for a total of \$6 million.
- The Assembly provides \$3 million in funding for Crisis Intervention Teams.
- The Assembly modifies the Executive proposal of \$1 million to develop a suicide prevention program for veterans and first responders.
- The Assembly provides \$1 million for a new suicide prevention program for at-risk populations, including Latina adolescents, Black youth, LGBTQ adolescents, and rural communities.
- The Assembly provides \$300,000 for supportive services targeting individuals and their families who are managing or recovering from substance use or mental health disorder and transitioning from different types of settings.
- Due to the increasing need for mental health services resulting from many factors including the COVID-19 pandemic, the Assembly recognizes the need for a mental health workforce that can meet the demand for mental health services. The Assembly will commit to working with the Senate and the Executive to alleviate workforce challenges for voluntary nonprofit agencies, increase access to care, and remove barriers to treatment. The Assembly will also consider policies and initiatives that will assist New York's mental health programs to recruit and retain a workforce of mental health professionals, who are appropriately trained to provide comprehensive care that meets the mental health needs of those who require treatment.

Capital Projects

- The Assembly accepts the Executive proposal and recommends no changes.

Article VII

- The Assembly modifies the Executive proposal to extend the use of time limited demonstration programs, by requiring the Office of Mental Health (OMH) to include information on the progress of demonstration programs in its statewide comprehensive plan.

- The Assembly modifies the Executive proposal to extend the requirement for OMH to reinvest savings from inpatient psychiatric bed closures by setting aside 20 percent of the savings for recruitment and retention of the community-based mental health workforce.
- The Assembly does not include the Executive proposal that would suspend notification and community reinvestment requirements for the closure of a facility operated by OMH and authorize OMH to close, consolidate, reduce, transfer or otherwise redesign services of hospitals, other facilities and programs operated by the office.
- The Assembly proposes to modify the Executive proposal that would authorize the commissioner of OMH to impose sanctions on service providers for operating certificate non-compliance and develop a schedule of fees for processing operating certificates by maintaining the current non-compliance penalties and requiring revenue generated from the processing fees be deposited into the mental health anti-stigma fund instead of directing the revenue into the general fund.
- The Assembly modifies the Executive proposal that would create crisis stabilization centers and expand Assisted Outpatient Treatment (AOT) court orders and involuntary commitment for individuals with mental illness, removing language to expand AOT orders and involuntary commitment, and clarify that crisis stabilization services are voluntary; grant authority for a crisis center to determine through assessment if they can meet a person's service needs, and direct or refer a person to a higher level of care, if deemed appropriate; require the commissioners of the OMH and the OASAS to develop educational materials on crisis stabilization services and provide crisis intervention training, mental health first aid and implicit bias training in the catchment area of a crisis center for law enforcement first responders, and other local entities.
- The Assembly does not include the Executive proposal that would create the Office of Addiction and Mental Health Services.
- The Assembly does not include the Executive proposal that would authorize the commissioners of the DOH, OMH and OASAS to establish integrated comprehensive outpatient service centers.
- The Assembly proposes to establish suicide prevention programs for Latina adolescents, black youth, members of the LGBTQT community and rural communities.
- The Assembly proposes to establish suicide prevention programs for first responders, law enforcement, corrections officers and veterans.
- The Assembly proposes to authorize and fund a one percent Human Services COLA beginning on April 1, 2021.

Assembly Budget Proposal SFY 2021-22 Office for People with Developmental Disabilities

The Assembly provides an All Funds appropriation of \$5 billion, which is an increase of \$88 million over the executive proposal.

State Operations

- The Assembly denies the Executive proposal to consolidate the Institute for Basic Research with the New York State Psychiatric Institute and restores \$1 million in funding.

Aid to Localities

- The Assembly denies the Executive language that would defer for one year the human services cost of living adjustment (COLA) and authorize the COLA starting on April 1, 2021. This would result in an increase of \$26.9 million for OPWDD providers in SFY 2021-22.
- The Assembly restores \$26.8 million in funding to reject the Executive's proposal for Residential Management within OPWDD.
- The Assembly provides \$25 million in funding to reimburse OPWDD, OMH and OASAS community-based providers for PPE costs as a result of the COVID-19 pandemic.
- The Assembly restores \$20.8 million in funding for Care Coordination Organizations (CCO) rates.
- The Assembly restores \$12 million in funding for local assistance payments for non-Medicaid payments under OPWDD.
- The Assembly restores \$10.5 million in funding for the FFS Medicaid rate for OPWDD programs.
- The Assembly provides \$10 million in funding to support the development of a group home pilot program for adults with developmental disabilities to provide increased access to independent residential opportunities.

- The Assembly restores \$6.9 million in funding to preserve the Residential Reserve Replacement (RRR) Allowance.
- The Assembly provides \$900,000 to support the installation of broadband in State-operated congregate facilities.
- The Assembly provides \$200,000 to fund the creation of the Center for Autism Research.

Capital Projects

- The Assembly accepts the Executive proposal and recommends no changes.

Article VII

- The Assembly accepts the Executive proposal to extend the authority of the OPWDD and the OMH facility directors to act as representative payees for three years.
- The Assembly rejects the Executive proposal to extend the authority for OMH and OPWDD to appoint temporary operators for five years.
- The Assembly rejects the Executive proposal to authorize the NYS Institute for Basic Research in Developmental Disabilities (IBR) to be designated as an entity under the NYS Psychiatric Institute (NYSPI) and allow for the transfer of employees from IBR to NYSPI.
- The Assembly rejects the Executive proposal related to changing the composition of the membership for the Developmental Disabilities Planning Council.

Assembly Budget Proposal SFY 2021-22
Justice Center for the Protection of People with Special Needs

The Assembly provides an All Funds appropriation of \$58.2 million, an increase of \$230,000 over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly restores \$230,000 in funding for the Adult Home Advocacy Program to support legal service providers that provide council to adult home residents in New York City and Long Island.

Capital Projects

- Not applicable.

Article VII

- The Assembly doesn't include the Executive proposal that would eliminate the Adult Home Advocacy Program under the Justice Center.

TRANSPORTATION, ECONOMIC DEVELOPMENT & ENVIRONMENTAL CONSERVATION

By Agency

**Assembly Budget Proposal SFY 2021-22
Adirondack Park Agency**

The Assembly provides an All Funds appropriation of \$4.97 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2021-22 Department of Agriculture and Markets

The Assembly provides an All Funds appropriation of \$197.81 million, an increase of \$19.2 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly provides \$35.41 million for local assistance for agricultural programs, an increase of \$8 million above the Executive proposal, reflecting restorations of \$4.36 million and additional funding of \$3.64 million. The Assembly proposes to increase agricultural programs as follows:
 - \$1.46 million for Cornell Core Diagnostic Lab;
 - \$1.12 million for Agribusiness Child Care;
 - \$1.1 million for the New York Farm Viability Institute;
 - \$600,000 for Harvest NY;
 - \$500,000 for Farmland for the New Generation;
 - \$400,000 for Cornell Equitable Farm Futures Initiative;
 - \$350,000 for Cornell University Rabies Program;
 - \$350,000 for Cornell Hops Breeding Research and Extension Program;
 - \$336,000 for Cornell Farm Family Assistance (FarmNet);
 - \$300,000 for Northern NY Agricultural Development;
 - \$272,000 for New York State Apple Growers Association;
 - \$250,000 for Urban Agriculture Education and Outreach (Cornell CCE-NYC);
 - \$200,000 for Cornell Salmonella Dublin Program;
 - \$150,000 for Turfgrass Stewardship;
 - \$125,000 for Tractor Rollover Protection;
 - \$98,000 for Cornell University Avian Disease Program;
 - \$75,000 for Maple Producers Association;
 - \$62,000 for the Cornell Golden Nematode Program;
 - \$50,000 for Cornell University Maple Research;
 - \$50,000 for the Sheep Producers Association;
 - \$50,000 for the Barley Evaluation and Field Testing Program;
 - \$50,000 for Cornell University Concord Grape Research;
 - \$50,000 for Cornell University Vegetable Research; and

- **\$2,000 for New York Wine and Grape Foundation.**

The Assembly provides additional funding from federal appropriations, including:

- **\$10 million for the operating costs of county and local fairs; and**
- **\$25 million for Nourish NY, bringing total funding to \$85 million since the program's inception.**

Capital Projects

- **The Assembly provides \$5 million for capital improvements at county and local fairgrounds.**
- **The Assembly provides \$5 million for capital improvements to municipal and non-profit humane societies and animal shelters and amends the program to help shelters without a municipal contract to compete for grants.**
- **The Assembly provides \$1.2 million for capital improvements at Agribusiness Child Care centers.**

Article VII

- **The Assembly modifies the Executive Proposal to make permanent the transfer of agricultural marketing orders administration from the Department of Agriculture and Markets to Empire State Development Corporation by extending the authorization for three years.**
- **The Assembly proposes Article VII legislation to establish the Nourish NY program in statute and to make it permanent.**

**Assembly Budget Proposal SFY 2021-22
Department of Economic Development**

The Assembly provides an All Funds appropriation of \$79.73 million, a decrease of \$3.51 million from the Executive proposal.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly does not include support for the following programs in the Executive proposal:**
 - **\$19 million for the consolidated program which combines the Centers of Excellence and Centers for Advanced Technology;**
 - **\$5 million for Innovation Hot Spots & Incubators; and**
 - **\$3.97 million for the TasteNY program.**
- **The Assembly restores support for the following programs, which were eliminated in the Executive proposal:**
 - **\$12.96 million in total support for the Centers for Advanced Technology;**
 - **\$11 million in total support for 11 Centers of Excellence;**
 - **\$250,000 for the SUNY Albany Center of Excellence in Atmospheric and Environmental Prediction and Innovation; and**
 - **\$250,000 for the Center of Excellence in Healthy Water Solutions.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include the Executive proposal that would eliminate the Centers of Excellence and create a joint program with the Centers for Advanced Technology.**

**Assembly Budget Proposal SFY 2020-21
New York State Energy Research and Development Authority**

The Assembly provides an All Funds appropriation of \$20.50 million.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly rejects the Executive proposal to transfer \$23 million from the Regional Greenhouse Gas Initiative (RGGI) to the General Fund and instead repurposes these funds to support energy efficiency and renewable energy programs that include on the job training and wage subsidies for previously incarcerated individuals seeking employment in such areas.**
- **The Assembly does not include legislation that would authorize New York State Research and Development Authority (NYSERDA) to create subsidiaries to develop project sites for the large-scale renewable Build-Ready Program.**
- **The Assembly modifies legislation that would increase the statutory cap on payments to local governments from the Electric Generation Facility Cessation Mitigation Fund by expanding program eligibility and ensuring that this legislation does not increase costs to ratepayers.**
- **The Assembly accepts the Executive proposal to authorize an annual assessment on gas and electric corporations to fund certain NYSERDA programs and to continue support for the Department of Environmental Conservation (DEC) climate change programs.**

Assembly Budget Proposal SFY 2021-22 Department of Environmental Conservation

The Assembly provides an All Funds appropriation of \$1.91 billion, an increase of \$100 million over the Executive Proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- Not applicable.

Capital Projects

Environmental Protection Fund (EPF)

- The Assembly modifies the Executive proposal to fund the EPF at \$400 million, an increase of \$100 million. The Assembly provides the following increases above the Executive proposal:
 - \$14 million for land acquisition;
 - \$10 million for farmland protection;
 - \$10 million municipal parks;
 - \$10 million for municipal recycling;
 - \$10 million for environmental justice;
 - \$8 million for water quality improvement projects;
 - \$7 million for zoos, botanical gardens, and aquariums;
 - \$7 million for agricultural non-point source pollution control;
 - \$5 million for non-agricultural non-point source pollution control;
 - \$6 million for invasive species;
 - \$4.8 million for public access and stewardship, including a suballocation to address overuse in the Adirondack and Catskill Parks;
 - \$4 million for clean vehicle projects, including public electric vehicle fast chargers;
 - \$3 million for oceans and great lakes;
 - \$500,000 for Soil and Water Conservation Districts;
 - \$500,000 for landfill closure impact planning grants; and
 - \$200,000 for the Cornell University Soil Health Program.

Clean Water Infrastructure

- **The Assembly allocates \$500 million for various clean water infrastructure programs to give greater specificity to the Executive proposal, as follows:**
 - **\$200 million for the Water Infrastructure Improvement Act (WIIA);**
 - **\$140 million for New York City;**
 - **\$50 million for the Lead Service Lines Replacement Program;**
 - **\$40 million for land acquisition;**
 - **\$40 million for WIIA – emerging contaminants; and**
 - **\$30 million for the Intermunicipal Water Infrastructure grant program.**

Article VII

- **The Assembly proposes language to amend the Clean Vehicles Projects program to include grants to municipalities for publicly available electric vehicle fast chargers.**
- **The Assembly accepts the Executive proposal to extend the authority of certain local governments to enforce bottle bill law provisions for two years.**
- **The Assembly does not include Executive proposals to:**
 - **revise existing hunting authorizations including decreasing the hunting age to 12 from 14, allowing for the increased use of crossbows, and modifying hunting seasons;**
 - **codify regulations previously proposed by the DEC including plastic bag thickness and construction;**
 - **authorize the alienation of certain municipal parkland to facilitate the construction of the Bay Park Conveyance Project;**
 - **provide certain brownfield cleanup project developers, who were issued certificates of completion between March 20, 2010 and Jan 1, 2012, additional time to claim tax credits;**
 - **authorize an alienation of State forest land for a renewable energy project developed by Alle-Catt Wind Energy LLC; and**
 - **authorize the Department of State to establish uniform standards and conditions to expedite the environmental approval of residential rezoning projects within one-half mile of Long Island Rail Road or Metro-North Railroad stations outside of New York City.**

Assembly Budget Proposal SFY 2021-22 Metropolitan Transportation Authority

The Assembly provides an All Funds appropriation of \$3.11 billion, an increase of \$141.8 million over the Executive proposal. In addition, the Assembly provides a contingency appropriation of \$848.25 million, reflecting no change from the Executive proposal.

State Operations

- **Not applicable.**

Aid to Localities

- **The Assembly denies the Executive proposal to transfer \$136.6 million in dedicated tax revenues that support the Metropolitan Transportation Authority (MTA) into the General Fund in SFY 2021-22. The Assembly proposal would fully restore the \$136.6 million to the MTA.**
- **The Assembly provides \$5.2 million to maintain the current discounted toll rate for Staten Island residents traveling on the Verrazano-Narrows Bridge.**
- **The Assembly encourages the MTA to advance projects funded through the outer-borough fund, including bridge and railroad discount programs as well as an on-demand e-hail pilot program.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly does not include the Executive proposal to amend the penal law to make the intentional use of a toll facility without payment a misdemeanor and would make it a violation to drive on a toll road with an obscured license plate.**
- **The Assembly does not include the Executive proposal to modify the MTA's bidding and procurement processes by permitting piggybacking off of existing government contracts and allowing for requests for proposals using design-build.**

- **The Assembly does not include the Executive proposal to require public utility companies to bear the costs of utility relocation work related to MTA capital projects.**
- **The Assembly does not include the Executive proposal to allow contractors, when performing certain work in connection with a transportation facility under an agreement with the MTA or New York City Transit Authority, to occupy the streets of the City of New York for the purposes of performing such work.**
- **The Assembly does not include the Executive proposal to establish new crimes for the assault or aggravated harassment of certain transit workers.**

**Assembly Budget Proposal SFY 2021-22
New York State Gaming Commission**

The Assembly accepts the Executive proposed All Funds appropriation of \$424.35 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly modifies the Executive proposal to repeal the state admission tax provisions related to certain racing activities and impose the state sales tax on such admissions.**
- **The Assembly modifies the Executive proposal to authorize mobile sports wagering with platform providers chosen by the Gaming Commission through a competitive bidding process by substituting it with an alternative proposal to enact mobile sports wagering. The Assembly does not include the Executive proposal to establish a process for casinos to petition for a slot tax rate reduction.**
- **The Assembly does not include the Executive proposal to authorize the Gaming Commission to issue a Request For Information (RFI) regarding the three unawarded gaming licenses.**
- **The Assembly does not include the Executive proposal to eliminate the current 2,500 square foot restriction on vendors and age restrictions imposed for players under the age of 21 relating to Quick Draw.**

- **The Assembly modifies the Executive proposal to remove drawing restrictions for the Take 5, Pick 10, Lotto and other new lottery games by authorizing these games to be drawn no more than twice daily, include a reporting requirement, and add a one-year sunset provision for these additional drawings.**
- **The Assembly modifies the Executive proposal to transfer the responsibilities and duties of the Office of the Gaming Inspector General under the Gaming Commission to the Office of the Inspector General by including a report as to the activities of the office, adding protections for civil service employees, and removing the proposed changes relating to statements made by commission officers or employees to the Gaming Inspector General.**
- **The Assembly accepts the Executive proposal to extend the current pari-mutuel tax rates and provisions related to the simulcasting of out-of-state thoroughbred and harness races for one year.**
- **The Assembly does not include the Executive proposal to suspend racing support payments made by certain gaming facilities to relevant horsemen and breeders while such gaming facilities and video lottery gaming facilities are operating under COVID-19 restrictions and provide a schedule of payments from the period of January 1, 2020 until February 28, 2020.**

**Assembly Budget Proposal SFY 2021-22
Department of Motor Vehicles**

The Assembly provides an All Funds appropriation of \$455.9 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly does not include the Executive proposal to modify and extend, for five years, the law authorizing the demonstration and testing of autonomous vehicles on public roads, including replacing statutory demonstration and testing parameters with regulatory administration of the program, create an Interagency Group on Autonomous Vehicle Technology, and modify the law to allow the operation of a motor vehicle with no hands on the steering wheel if a driving automation system is engaged.**
- **The Assembly does not include the Executive proposal to establish a mandatory, non-refundable one dollar DMV technology fee, to be imposed on all motor vehicle, motorcycle, historic motorcycle, snowmobile and vessel registration, re-registration and registration renewal transactions, and on all original, duplicate and renewal learner's permit, driver's license and non-driver identification card transactions.**

**Assembly Budget Proposal SFY 2021-22
Olympic Regional Development Authority (ORDA)**

The Assembly provides an All Funds appropriation of \$116.59 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2021-22
Office of Parks, Recreation and Historic Preservation**

The Assembly provides an All Funds appropriation of \$484.92 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **Not applicable.**

**Assembly Budget Proposal SFY 2020-21
Department of Public Service**

The Assembly provides an All Funds appropriation of \$104.34 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly does not include legislation that would allow building owners to deduct renewable energy credits from NYC building emissions requirements notwithstanding NYC Local Law 97.**
- **The Assembly does not include legislation that would make technical amendments to the Office of Renewable Energy Siting related to the State Environmental Quality Review Act (SEQRA) employee transfers, use of collected fees, and public service law definitions.**
- **The Assembly does not include legislation to make permanent the existing moratorium on the termination of utility and phone services and extend such moratorium to television and broadband services, and instead will consider legislation related to this issue outside of the budget.**
- **The Assembly does not include legislation to require broadband service providers to offer to low-income New Yorkers a \$15 per month broadband plan and instead will consider legislation related to this issue outside of the budget.**
- **The Assembly proposes an Article VII to require the Public Service Commission to conduct a study of the availability, affordability and reliability of high-speed internet and**

broadband services in New York State, and to publish on its website a detailed internet access map. The Assembly provides \$3 million for this purpose.

- **The Assembly modifies the Executive proposal to authorize certain state agencies to finance public health campaigns and utility oversight related costs from assessments on cable television companies and public utilities by including a one-year sunset.**

**Assembly Budget Proposal SFY 2021-22
Department of State**

The Assembly provides an All Funds appropriation of \$365.59 million, an increase of \$11.75 million over the Executive proposal.

State Operations

- **The Assembly does not include \$600,000 for the data privacy initiative.**
- **The Assembly provides support for the following programs:**
 - **\$1 million for establishing a public intervenor fund for energy-related regulatory matters; and**
 - **\$350,000 for the creation of the Office of the State Utility Consumer Advocate.**

Aid to Localities

- **The Assembly provides support for the following programs:**
 - **an additional \$10 million in immigrant legal assistance for the Office of New Americans; to address hate crimes and other bias-based activities directed towards new immigrant communities; and**
 - **\$1 million for the Public Utility Law Project.**

Capital Projects

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly does not include the Executive proposal to require certain companies to disclose data collection purposes and limit data collection practices.**
- **The Assembly does not include the Executive proposal to require disclosures for voice recognition features in connected devices.**

- **The Assembly does not include the Executive proposal which would amend the Business Corporation Law to allow the Secretary of State to be served electronically and then serve process against a corporation electronically.**
- **The Assembly does not include the Executive proposal to establish a process by which notarizations can be completed electronically.**
- **The Assembly accepts the Executive proposal to permanently permit the Secretary of State to charge increased fees for the expedited handling of certain documents.**
- **The Assembly proposes Article VII language that would create the Office of the Utility Consumer Advocate that would serve as an independent advocacy office to aid consumers in disputes with public utilities.**
- **The Assembly proposes Article VII language that would establish funding for utility intervenor reimbursement that would authorize certain participants to be reimbursed for expenses incurred in Public Service Commission cases.**

**Assembly Budget Proposal SFY 2021-22
Department of Taxation and Finance**

The Assembly provides an All Funds appropriation of \$448.9 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **The Assembly accepts the Executive proposal and recommends no changes.**

Capital Projects

- **Not applicable.**

Article VII

- **The Assembly modifies the Executive proposal to amend various tax preparer oversight provisions, to eliminate the new daily penalty provisions and to maintain a 30-day penalty cure period.**
- **The Assembly does not include the Executive proposal to combine the property transfer form and the real estate transfer tax form into a consolidated real property tax form; and create an online system for e-filing and paying the associated taxes and fees.**
- **The Assembly does not include the Executive proposal to make various technical changes in order to facilitate the administration of real property taxes.**
- **The Assembly does not include the Executive proposal to extend the statutory deadline for implementing the Secure Choice Program from April 12, 2020 to December 31, 2021.**
- **The Assembly does not include the Executive proposal to extend the existing real property tax exemption for renewable energy projects from 2025 to 2030 and establish a statewide standardized approach for real property tax assessment for such projects.**
- **The Assembly does not include the Executive proposal to authorize the Tax Department to appeal adverse Tax Appeals tribunal decisions.**

**Assembly Budget Proposal SFY 2021-22
Division of Tax Appeals**

The Assembly provides an All Funds appropriation of \$2.9 million.

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **Not applicable.**

Article VII

- **Not applicable.**

Assembly Budget Proposal SFY 2021-22 Department of Transportation

The Assembly provides an All Funds appropriation of \$11.33 billion, an increase of \$682.2 million over the Executive proposal.

State Operations

- The Assembly accepts the Executive proposal and recommends no changes.

Aid to Localities

- The Assembly denies the Executive proposal to transfer \$16.7 million in dedicated tax revenues that support non-MTA downstate transit systems into the General Fund and fully restores this amount to non-MTA downstate transit systems.
- The Assembly denies the Executive proposal to transfer \$9.7 million in dedicated tax revenues that support upstate transit systems into the General Fund and fully restores this amount to upstate transit systems.
- The Assembly provides \$10 million for a new grant program to establish five or more e-hail on-demand pilot programs.

Capital Projects

- The Assembly modifies the second year of the two-year DOT capital plan by providing an additional \$504 million, primarily to municipalities and transit authorities. The Assembly proposes to provide funding as follows:
 - \$100 million for Local Pave NY;
 - \$100 million for Local Bridge NY;
 - \$100 million for State Route NY to reimburse cities, towns and villages for the cost of capital projects on NY or US signed State Touring Routes;
 - \$84 million for non-MTA mass transit capital projects, including \$4 million for capital costs related to bus rapid transit;

- \$35 million for passenger rail projects, including funding to update previous high-speed passenger rail studies in anticipation of potential new Federal funding for Amtrak;
 - \$20 million for freight rail; and would
 - restore \$65 million in Extreme Winter recovery funding while maintaining \$438.1 million for the Consolidated Highway Improvement Program (CHIPs) and \$39.7 million for the Marchiselli Program.
- The Assembly identifies projects to be funded within existing appropriations, including:
 - \$20 million for the Kensington Expressway redesign project in Erie County;
 - \$10 million to construct a protected multi-use path with riverfront access as part of the Major Deegan Expressway rehabilitation project; and
 - \$4 million to upgrade one Long Island Rail Road train engine to meet higher emissions standards.
 - The Assembly reallocates appropriations for engineering costs to support DOT State workforce engineers, and authorizes DOT to fund a study by the Department of Civil Service of private sector compensation for engineers comparable to those sought for employment by DOT and the competitiveness of DOT in hiring engineers.
 - The Assembly modifies appropriation language to ensure DOT provides the legislature with pavement and bridge condition reports and capital plan project lists.
 - The Assembly does not include language throughout the DOT capital plan that allows the Division of Budget to delay the release of capital plan funds.

Article VII

- The Assembly proposes Article VII language to increase the cap on grants and loans to municipal and private airports in the AIR 99 Program from \$1.5 million to \$2.5 million.
- The Assembly does not include the Executive proposal to increase penalties imposed for violations of laws or regulations prohibiting the operation of certain motor vehicles on highways or parkways and for violations relating to vehicle height, require notification about bans on commercial vehicle operation on parkways, and regulate the use of global positioning systems (GPS) on commercial vehicles.

- **The Assembly does not include the Executive proposal to expand crimes committed against highway workers, motor vehicle inspectors, motor carrier inspectors, Department of Motor Vehicles (DMV) employees, and county clerks performing motor vehicle transactions on behalf of DMV, prohibit motorists from intruding into active work zones, create a work zone safety and outreach program, modify laws relating to the moving of vehicles, cargo and debris following crashes, and increase penalties for persons convicted of failing to exercise due care to avoid hitting a pedestrian or bicyclist and causing physical injury or serious physical injury.**

Assembly Budget Proposal SFY 2021-22 Urban Development Corporation

The Assembly provides an All Funds appropriation of \$1.3 billion, an increase of \$846.32 million over the Executive proposal. Additionally, the Assembly provides an additional \$1 billion for a new Small Business Reopening and Relief Grants Program.

State Operations

- Not applicable.

Aid to Localities

- The Assembly does not include support for the following programs that were recommended in the Executive proposal:
 - \$42.5 million for advertising support for tourism and economic development promotion;
 - \$26.18 million for the Empire State Economic Development Fund; and
 - \$7 million for Market NY.
- In addition, the Assembly provides \$25 million for the I Love New York Restaurants Program, a partnership between restaurants and nonprofit organizations to provide meals to people in need during the COVID-19 emergency period.

Capital Projects

- The Assembly does not include support for the following programs that were included in the Executive proposal:
 - \$220 million for the New York Works Economic Development Fund;
 - \$150 million for Regional Economic Development Councils; and
 - \$8 million for Market NY.

- **The Assembly proposes shifting \$1.3 billion in capital from the Special Infrastructure Account to the Urban Development Corporation.**
- **The Assembly restores \$745.67 million in dropped reappropriations for life science initiatives and the Wadsworth Lab in the Capital Region.**

Article VII

- **The Assembly proposes to modify the Executive proposal to extend the general loan powers of the UDC for one year rather than three.**
- **The Assembly proposes to modify the Executive proposal to extend the authorization of the UDC to administer the Empire State Development Fund for one year rather than three.**
- **The Assembly proposes to modify the Executive proposal to create the Small Business Return-to-Work Tax Credit Program which would provide tax credits to businesses, restaurants, and musical venues. The Assembly modifies the small business credit to make it advanceable in the upcoming fiscal year, and also includes language on reporting.**
- **The Assembly proposes to modify the Executive proposal involving the Economic Transformation and Facility Redevelopment Program tax credits to extend to one year.**
- **The Assembly proposes new Article VII language for the Small Business Reopening and Relief Grant Program to help small businesses impacted by COVID-19 get back to business. This program provides funding for essential businesses costs such as payroll, rent, insurance, PPE, and license fees. Businesses like Minority and Women Owned Business, micro-businesses, veteran-owned, and businesses in significantly impacted industries will receive priority access to these funds.**

Assembly Budget Proposal SFY 2021-22
Miscellaneous: Transportation, Economic Development and Environmental

Green Thumb Program

- **The Assembly accepts the Executive proposal and recommends no changes.**

Greenway Heritage Conservancy for the Hudson River Valley

- **The Assembly accepts the Executive proposal and recommends no changes.**

Hudson River Park Trust

- **The Assembly accepts the Executive proposal and recommends no changes.**

Hudson River Valley Greenway Communities Council

- **The Assembly accepts the Executive proposal and recommends no changes.**

New York Power Authority

State Operations

- **The Assembly accepts the Executive proposal and recommends no changes.**

Article VII

- **The Assembly does not include the Executive proposal to allow NYPA to establish a pure captive insurance company.**
- **The Assembly does not include the Executive proposal to authorize the Long Island Power Authority to restructure existing debt through the issuance of securitized restructuring bonds by the Utility Debt Securitization Authority and to authorize new bond issuances for resiliency and reliability improvements.**

- **The Assembly does not include the Executive proposal to increase, from 100 to 150 megawatts, the amount of Recharge New York power available to not-for-profits and small businesses.**
- **The Assembly does not include the Executive proposal to create a new public benefit corporation known as the New York State Canal System Revitalization Trust.**

New York State Thruway Authority

Article VII

- **The Assembly does not include the Executive proposal to permit electronic bidding for Thruway Authority contracts.**
- **The Assembly does not include the Executive proposal to increase the monetary threshold for procurement contracts that are subject to board approval from \$15,000 to \$50,000.**

LEGISLATURE & JUDICIARY

By Agency

Assembly Budget Proposal SFY 2021-22 Judiciary

The Assembly provides an All Funds appropriation of \$3.31 billion.

State Operations

- The Assembly supports the reinstatement of the judges that were denied senior status certification due to budgetary concerns and provides funding for restoring the senior status of judges, and restores \$26 million.
- The Assembly restores \$8.5 million to the proposed cash reductions to civil legal service providers.

Aid to Localities

- The Assembly accepts the Executive proposal and recommends no changes.

Capital Projects

- The Assembly accepts the Executive proposal and recommends no changes.

Article VII

- The Assembly includes a proposal to prohibit courts from considering the sex, sexual orientation, gender identity, or gender expression of a party when determining the best interest of a child in a child custody matter.
- The Assembly does not include the following proposals:
 - to authorize the court to require alleged domestic violence abusers to pay housing costs, such as damages, moving and mortgage costs of the residence of the person protected by a related order of protection;
 - to allow for a stay in commercial evictions for nonpayment of rent;
 - to prohibit the collection of fees for late rent payments from March 20, 2020 to May 1, 2021;

- to add “ethnicity, national origin, age, disability, sex, sexual orientation, and gender identity or expression” as protected classes in the state constitution; and
- to establish the annual rate of interest to be paid on a judgment or accrued claim to be calculated at the one-year United States treasury bill rate.

DEBT SERVICE

Assembly Budget Proposal SFY 2021-22 Debt Service and Capital Projects

The Assembly provides an All Funds Debt Service appropriation of \$11.41 billion, a decrease of \$11 billion from the Executive proposal. The Assembly provides All Funds Capital appropriations totaling \$16.21 billion, an increase of \$1.40 billion over the Executive.

State Operations

- **Not applicable.**

Aid to Localities

- **Not applicable.**

Capital Projects

- **The Assembly does not include the Executive proposal to provide support for the following initiatives:**
 - **\$220 million for NY Works Economic Development Fund;**
 - **\$150 million for Regional Economic Development Councils; and**
 - **\$8 million for Market NY.**
- **The Assembly modifies the Executive’s proposal for the Statewide Equipment Finance program to provide support for the following initiatives:**
 - **\$30 million for State and Local Boards of Elections; and**
 - **\$25 million for body cameras for local police agencies.**
- **The Assembly modifies the Executive proposal to provide additional support for the following initiatives:**
 - **an increase of \$100 million for SUNY capital for a total of \$650 million;**
 - **an increase of \$66 million for CUNY capital for a total of \$350 million;**
 - **an increase of \$65 million for CHIPs for a total of \$542.8 million; and**
 - **an increase of \$20 million for Library Capital Grants for a total of \$34 million.**

- **The Assembly allocates the \$500 million funding recommendation for Clean Water Infrastructure to provide support for the following initiatives:**
 - **\$200 million for Water Infrastructure Improvement Act (WIAA);**
 - **\$140 million for NYC Watershed Projects;**
 - **\$50 million for the Lead Service Line Replacement Program;**
 - **\$40 million for WIAA Emerging Contaminants;**
 - **\$40 million for land acquisition; and**
 - **\$30 million for Intermunicipal Water Infrastructure Grants.**

- **The Assembly allocates a portion of the \$6.09 billion funding recommendation for DOT Year 2 Capital Appropriations to provide support for the following initiatives:**
 - **\$30 million for DOT projects of regional significance; and**
 - **\$4 million for a diesel engine on the Long Island Railroad.**

- **The Assembly provides appropriations for the following initiatives:**
 - **\$500 million for NYC Housing Authority;**
 - **\$125 million for Public Housing Assistance;**
 - **\$100 million for Mitchell Lama;**
 - **\$100 million for Bridge NY;**
 - **\$100 million for PAVE NY;**
 - **\$100 million for State Route NY;**
 - **\$80 million for Non-MTA Transit Capital;**
 - **\$35 million for passenger rail;**
 - **\$30 million for Higher Education Capital Matching Grant Program;**
 - **\$30 million for 4201 School Capital Needs;**
 - **\$30 million for SUNY Educational Opportunity Centers;**
 - **\$25 million for Securing Communities Against Hate Crimes;**
 - **\$20 million for freight rail;**
 - **\$20 million for Arts and Cultural Facilities;**
 - **\$15 million for CUNY Green Energy/Offshore Wind Capital;**
 - **\$5 million for local fairs;**
 - **\$5 million for animal shelters;**
 - **\$3.3 million for EQUAL program; and**
 - **\$1.2 million for Agriculture Migrant Childcare.**

Debt Service

- **The Assembly does not include appropriations of \$8 billion for payments related to short-term Personal Income Tax (PIT) notes and \$3 billion related to a line of credit.**

- **Additionally, the Assembly does not include the prepayments of \$1.6 billion in SFY 2020-21 and \$676 million in SFY 2021-22 on debt service due in SFY 2022-23 through SFY 2024-25.**

Article VII

- **The Assembly does not include the Executive proposal to:**
 - **extend for one additional year the authorization to issue up to \$8 billion in short-term PIT notes;**
 - **extend for an additional three years the authorization to enter into line of credit agreements of up to \$3 billion;**
 - **make school districts and not-for-profits presumptively eligible for DASNY construction, design, and financing services for capital projects in excess of \$5 million;**
 - **raise the Medical Care Facilities Finance Agency bond cap from \$16.6 billion to \$17.4 billion; and**
 - **grant the New York Convention Center Operation Corporation the ability to act as a construction-permitting agency authorized for the Javits Convention Center.**
- **The Assembly modifies the following Executive proposals to:**
 - **suspend the Debt Reform Act for all SFY 2021-22 debt issuances to exempt from the only debt issued to refinance outstanding bonds of the Sales Tax Asset Receivable Corporation and Secured Hospital program, and bonds issued to fund the State's contribution to the MTA capital plans; exempt only debt issued for the State's contribution to the MTA capital plans from the 30-year maximum maturity requirement; and restore the restriction that debt shall only be issued for capital purposes; and**
 - **refund outstanding secured hospitals project bonds to remove language that authorizes the director of the budget to determine the use of all savings associated with the refunding.**
- **The Assembly modifies the following bond caps:**
 - **Economic Development Initiatives decreases from \$11.25 billion to \$10.93 billion;**
 - **SUNY Education Facilities from \$15.46 billion to \$15.59 billion;**

- **CUNY Education Facilities from \$9.55 billion to \$9.63 billion;**
 - **Consolidated Highway Improvement Program from \$11.84 billion to \$11.90 billion;**
 - **Library Facilities from \$279 million to \$299 million;**
 - **Transportation Initiatives from \$8.84 billion to \$9.28 billion;**
 - **Housing Capital Programs from \$7.09 billion to \$7.81 billion; and**
 - **4201 Schools from \$196 million to \$226 million.**
- **The Assembly provides language to increase the following bond caps:**
 - **Higher Education Capital Matching Grants from \$300 million to \$330 million;**
 - **Department of Health Facilities from \$495 million to \$598.22 million; and**
 - **Child Care Facilities from \$30 million to \$31.2 million.**